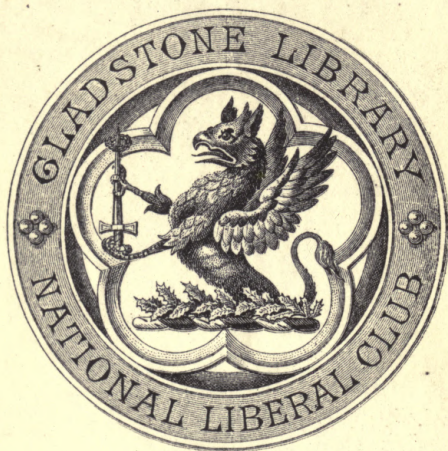


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A REPLY

TO THE

ANGLO-CRISTINO PAMPHLET,

ENTITLED

"THE POLICY OF ENGLAND

TOWARDS

SPAIN."

BY

WILLIAM WALTON, ESQ.

Author of the "Revolutions of Spain from 1808 to the end of 1836."

LONDON:

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A R E P L Y

TO THE

ANGLO-CRISTINO PAMPHLET,

&c. &c.

THE public has within the last few days been presented with a pamphlet, entitled "The Policy of England towards Spain," which, under colour of replying to a chapter in a contemporary work, takes up the defence of Lord Palmerston's Peninsular heresies, and almost assumes the confident and magisterial tone of a manifesto from the Foreign Office. Most of my readers must have the good fortune to be familiar with the work which has called into the field this anonymous pamphleteer. I allude to the interesting volumes which report attributes to the Earl of Carnarvon; it is to the last chapter, which treats of the social and political state of

the Basque Provinces, that the author of "The Policy of England towards Spain" professes to reply.

Had the pamphlet in question been nothing more than an answer to Lord Carnarvon's reputed work, I should have remained silent. If that nobleman should condescend to reply to an anonymous attack upon a production which he has not acknowledged, no one is more capable of doing so with effect, and I might justly be accused of presumption, were I to put myself forward as his champion and offer to break a lance in his behalf. But in reality the pamphlet is not so much an attack upon Lord Carnarvon, as a defence of Lord Palmerston. The latter statesman (if I may be pardoned such an abuse of the term) is in every other page the object of covert approbation, or open and fulsome panegyric; and his most unjustifiable acts and most deplorable blunders are alike bedaubed and plastered over by the determined and undistinguishing flattery of his nameless admirer.

The malevolence of common report has indeed gone so far as to libel the Noble Secretary, by attributing this eulogy of himself to no less distinguished a pen than his own. If we are to believe such a malicious rumour, we have to welcome, in this pamphlet, the offspring not of interested flattery, but of blind and in-

ordinate self love; we have to listen not to "the bated breath and whispering humbleness" of some sycophantic echo, but to the soft and amorous murmurs of a political Narcissus.

It is, however, remarkable that whatever Lord Palmerston is supposed to be about, he is never supposed to act for himself. This wandering and versatile Ulysses, who has seen so many various administrations and travelled through so many different sets of opinions, is not yet thought capable of running alone. Thus when he signed the Quadruple Treaty, nothing would make the public believe but that the Prince de Talleyrand guided his hand. The Ex-Bishop confirmed the Ex-Tory in the faith of the *Juste Milieu*. The same report that has afflicted his Lordship with his recent fit of authorship, has not left him without an attendant. Señor Aguilar, the Cristino agent in London, has been appointed, it is said, to watch his go-cart, and to "nurse and dandle" him into a pamphleteer.

But there is no end to the spitefulness of common report. As if this anonymous publication were something beyond the united abilities of Lord Palmerston and Señor Aguilar, it is also whispered into notice as nothing less than the result of a combined movement from the two bases of London and Madrid. The British Legation and the Spanish Cabinet have

been bestirring themselves in the one city, the Spanish Legation and our own Foreign Office in the other. This is indeed gaining a purchase to lift a feather!

But I must beg for my own part to decline subscribing to the truth of these uncharitable reports. It is enough to have mentioned them. I cannot believe that any of the eminent persons above alluded to, have had the slightest share in a work that would discredit their humblest dependant. Whoever the author is, he has shown judgment in concealing his name. He is probably some official underling, who is seeking the favour of his superiors by an awkward attempt to defend them—one who knows little, and whose only talent is a knack of obscuring, distorting and falsifying the little that he may know. I shall therefore throughout my reply reduce him to unity, though in his own pages he usurps the style of Kings and Reviewers, and struts in all the pomp of the plural pronoun.

But whoever may have the right to the honours of this paternity, the foundling has met with a band of foster-fathers in the gentlemen of the ministerial press. They have rocked its cradle, held it up to the attention of the public, and neglected no art to invest it with an air of factitious importance. All who know any thing of the public must be aware how easily they

are misled by such artifices as these. The most contemptible production is not without weight, when it is believed, or even suspected, to proceed from authority. The pamphlet in question, particularly when regarded as the mouth-piece of the Foreign Office, is not ill put together for the purposes of deception, and if left without an answer, would certainly increase that ignorance on Spanish affairs, which the author affects to lament, and on which he impudently presumes.

I must however confess that he is not so mischievous as he means to be—the weakness of his ability cannot keep pace with the strength of his malevolence. It mostly happens that his sophistries are guiltless of deception, and his arguments prove nothing but what he wishes to refute. His mis-statements have at least the merit of frequently contradicting one another, and throughout his pages there prevails such a scuffle of conflicting assertions, that Lord Palmerston himself would despair of reconciling the angry combatants, and would decline to interfere in such an obstinate civil war.

But with all this author's powers of refuting and contradicting himself, he has left the good work incomplete. The poison is stronger than the antidote. There are still some of his fallacies that require to be unmasked—some of his arguments that should have their weakness ex-

posed, and many assertions that he has left for others to contradict. I found it to be the general opinion of those with whom I conversed, that this useful but irksome task naturally devolved on me. They represented that I was the first Englishman who had introduced the subject to the notice of the public;* that

* "*Spain! or Who is the lawful Successor to the Throne.*" This pamphlet went to press early in 1834, and I was induced to write it by the circumstance of Cristino agents being then, and for some time previously, engaged in active labours to make the British public and some of our leading men believe that the right lay on the side of Queen Christina's daughter, and as far as I had an opportunity of judging, I was of opinion that the case was the reverse. As stated in the Preface, the speech from the throne (Feb. 4, 1834) and the debates which thereon ensued, convinced me that a strong delusion upon this interesting point prevailed among us, which I thought it was desirable to have removed. Not being provided with all the materials required, I obtained them from abroad and, without consulting any one, published my pamphlet at the beginning of May. This humble effort in the cause of Spanish Legitimacy I had the honour of presenting to Don Carlos, at Gloucester Lodge, and he appeared equally surprised and delighted at the idea of a foreigner and a perfect stranger having voluntarily stepped forward in his defence, at a time when there was little probability of his visiting our shores. He seated me near him and conversed with me for upwards of an hour, particularly mentioning the kind treatment experienced by himself and family on board of the *Donegal*, for which he felt desirous of thanking our most gracious sovereign, if an opportunity presented itself. When I visited him at Oñate, in the winter of 1835, General Pinheiro introduced me as a friend of his own. Don Carlos, in the most

having passed much of my life with Spaniards, and been in personal communication with many prominent characters on both sides, and with the very highest among the Carlists, I had met with peculiar opportunities of obtaining information, and of making myself acquainted with the merits of the case ; that I had already done something to remove the prevailing errors, and it was therefore my duty, as an Englishman and a friend to truth, once more to step forward in the same cause and expose this new and malignant attempt to mislead the unwary.

I yielded, but I must confess with reluctance, as I had just risen with debilitated health from the laborious composition of two volumes on the "Revolutions of Spain;" and I was aware that either in that work or in two tracts previously published,* I had refuted by anticipation the greater part of the pamphlet which I was now called upon to answer, for either from

amiable manner and with a smile which bespoke his kindness of heart, turning to the general and pointing to me, said, *este es mi defensor*, "this is my defender," and then in the most friendly and condescending manner welcomed me to his little court. And, in a country like ours, shall such a Prince as this not find an advocate when he and his adherents are assailed by a nameless slanderer ?

* The second tract, not bearing my name, is "Legitimacy the only Salvation for Spain," published in the middle of 1835.

want of candour, or want of information, it is the constant practice of my nameless antagonist to put forward, as something novel or uncontested, matter both of fact and argument which has been already disproved. I trust therefore that my readers will excuse me if I occasionally refer to my former works.

After this apology, I proceed to my task.

Of the innumerable errors of my anonymous opponent, that relating to the Catalonian insurrection of 1827 is the most venial. It would indeed have been wonderful if such a writer had succeeded in unravelling an intrigue which, even now, is a mystery to many well-informed Spaniards—if one, who is always missing the plainest track, had gone right in such a labyrinth. But amidst all the obscurity of this transaction, one point is perfectly clear. Don Carlos, though his name was made use of, had no part whatever in the intrigue. This has been already shown at page 363, vol. i. of my work on the “Revolutions of Spain,” where I have given an account of these commotions, without however mentioning their original instigators. What I shall now relate is the result of extensive enquiries diligently prosecuted in France and England, as well as in Spain.

Those who know any thing of Ferdinand VII.’s real character, are aware of his turn for intrigue, and of his propensity for travelling by

crooked paths even when the straight were surer. He passed his life in balancing parties, and ended in disgusting all. His conduct in 1826 was a strange instance of his unkingly passion for indirect means. At that time his cabinet contained several liberals, who were of course unpopular with the royalists, particularly with those of Catalonia. Of this feeling a strange advantage was taken.

In Ferdinand's own camarilla (of which Don Carlos never formed a part, and where he was not regarded with good will) with the King's full knowledge and approbation, was the plan of this ultra-royalist insurrection laid, the object of which was to enable one section of the cabinet to overthrow the other. By this complicated scheme he possibly expected at once to gratify the royalists and excuse himself to the liberals. But when men's minds are violently excited, the game of agitation is playing with edged tools.

The insurrection spread throughout the principality and probably far beyond the intentions of its instigators. The liberals took advantage of the general ferment to promote their own ends—the exiles flocked to the vicinity from their different retreats, and, in order to divide the royalists, it was given out that the object of the insurrection was to raise the Infante to the

throne. This calumny, as I have already stated, they unblushingly supported by manifestoes and other documents, printed abroad and circulated in Spain. I could name the liberal who managed the scandalous manœuvre in England, and I am in possession of one of these papers, which was printed in the vicinity of London.

Whether it was this interference of the liberals, or the unexpected extent of the insurrection that alarmed the King, and made him shrink from the consequences of his own acts, is more than I can venture to assert. Tranquillity was finally restored by the most unsparing measures—royalists and liberals suffered from the same vindictive severity, and this was the end of disturbances, discreditable to all concerned in them and deeply disgraceful to some.

In this transaction I cannot see why the Infante should have defended himself before he was accused. Such conduct would have been a very equivocal proof of innocence; but as soon as his name was mentioned he went beyond a disavowal; he indignantly demanded an enquiry; a rigid investigation was instituted and conducted by men not his friends, some indeed his personal enemies, and after more than a thousand examinations of persons in Catalonia and elsewhere, it was pronounced that nothing appeared to implicate the Infante—

not an act was disclosed that had any reference to him.*

This insurrection and the affair of Bessieres, which sprung from the same source, but in which Don Carlos was never even suspected, were the only two royalist movements directed in appearance against Ferdinand. What therefore is meant at p. 5 of the pamphlet by accusing Don Carlos of countenancing the intrigues of his "*cuarto*," being privy to a series of plots, and constantly refusing to disavow or reprobate the acts of the conspirators? If the author alludes to the countless plots and insurrections by which the *liberals* disturbed the throne of Ferdinand, I may safely leave such an accusation without an answer.

If however he refers to any thing that happened between 1820 and 1823, a period when Ferdinand was the unwilling prisoner of the triumphant liberals, far be it from me to deny

* The liberals wished it to be believed that Calomarde was implicated with the Infante, perhaps the most preposterous of all their libels and inventions, in consequence of which he urged an inquiry, when by the King's orders and for the mutual satisfaction of the aggrieved parties, a commission was appointed to carry on the investigations, composed of counsellors of Castile and distinguished magistrates. I have this fact from Señor Calomarde himself, and it has been confirmed to me by others concerned in the inquiry; but it is well known that the King deemed this an unnecessary step.

that Don Carlos may have participated in such plots and conspiracies as those. I dare say he favoured them whenever he had an opportunity, for he has shown himself through life a faithful subject, and an affectionate brother. When disaffected and turbulent subjects take the cabinet by storm, trample on their sovereign, and pervert the power of the crown to the destruction of the prerogative, resistance becomes a loyal service. This is one of those few Spanish mysteries which an Englishman can comprehend in a moment.

But one would imagine, from p. 4 and 5 of the pamphlet, that from 1814 to 1827 there were no plots in Spain but such as were hatched in Don Carlos's *cuarto*—no military mutinies but that which broke out in his regiment in 1822. How does it happen that this candid author, with all his laudable abhorrence of plots and mutinies, passes over in profound silence the great plot and mutiny of La Isla—the mutiny not of a regiment but of an army, a mutiny that produced a revolution, stripped the King of his power, and placed him at the mercy of the constitutionalists? I will explain the motive of this *suppressio veri*.

It is his purpose to represent Don Carlos as plotting in 1822 against the King's authority, and therefore he keeps out of sight the awkward fact that the King had then no authority

at all. To reinstate him in that authority was the object of all the plots and insurrections in Spain from 1820 to 1823. They were directed not against the King, but against the constitutionalists who had enthralled him; they were rebellions against rebels, and mutinies against mutineers.

In 1822 Don Carlos was certainly colonel of the carabineer guards, and that regiment rose at Alcalá against the Constitution. This is what the author of the pamphlet miscalls a "Carlist mutiny." If, as this writer says, "neither threat nor persuasion could induce the Infante to punish the offence, or to disavow his connexion with its authors," such firmness and loyalty would have done him honour. But the pamphleteer, in his blind eagerness to malign the Prince, does injustice to his enemies. With all their faults and crimes the liberals of 1822 were more capable of governing than he would have us believe. They were not, like the present rulers of Madrid, at the mercy of their officers; they could act against a disaffected regiment without first applying to the colonel to punish or disavow. Is this writer really ignorant that the regiment in question, which seemingly he could not name, and whose impunity he appears to insinuate, was disbanded for the mutiny, and the officers compelled to assume plain clothes, a civil mode of cashiering?

In that year I happened to travel from Madrid to Badajoz with one of these officers, and this has served to impress more strongly on my memory the particulars of the whole transaction.

From the barrack the pamphleteer jumps to the drawing room, and offers to the Infanta, wife of Don Carlos, and the Princess de Beira the homage of an invective. Alas! for the luckless constitutionalists! at one time threatened by the sabre, at another by a lady's fan! Don Carlos's carabineers were bad enough, but they were nothing to his *cuarto*. It was this formidable *cuarto* that, according to the pamphleteer, produced innumerable conspiracies against the authority of Ferdinand VII.—conspiracies which I allow Don Carlos neither disavowed nor reprobated, and of which he no doubt approved, for they were conspiracies against his brother's enemies.

Don Carlos never made a mystery of his political opinions; his aversion to the liberals was notorious and avowed, and it certainly was not in his apartments and among the circle of his familiar friends that we should look for panegyrists of the Constitution of 1812, or the revolt of 1820. But it is preposterous to attribute the royalist insurrections to the chit-chat of his *cuarto*; they were provoked by the measures of the revolutionary government, who assailed

the church, trampled on the throne, and outraged the best feelings and strongest prejudices of the nation. No doubt the Infante was hated and feared by the demagogues of 1820; these men knew that had he been allowed to act, their insurrection would never have succeeded; no doubt his *cuarto* was unpopular enough with the clubists and anarchists of the day. Their stifled resentment at last broke out into invectives, first uttered in the clubs and next in the cabinet. It was even determined to impeach him as an enemy to the Constitution; legal proceedings were commenced, and a room prepared for his reception in the *Carcel de Corte*, or Court Prison, when his enemies on a sudden shrunk from the execution of their design, and abandoned charges which for months together had resounded within the walls of their conclaves.

It is indeed believed that Ferdinand would have been better pleased had the Infante been less popular, and this jealous feeling was fostered and kept alive by the enemies of the latter. But the brothers were never more cordial than at the very period when, according to this veracious pamphlet, the regiment of the Infante was disturbed by a Carlist mutiny, and his *cuarto* teeming with seditious intrigues. At that time the King and the Prince were united more closely than ever by the bond of

their common danger. When, as was their habit, they were smoking their evening cigar together, they probably made themselves merry with the democratic invectives against the intrigues of the *cuarto*,* intrigues (if they must be called so) as well known to one brother as to the other. What a pity that no demagogue of the day ever thought of adding to their amusement by denouncing those intrigues as disloyal plots, and the royalist movements as insurrections against the King! But that valuable discovery was reserved for fifteen years afterwards, to reward the diligence of a British pamphleteer.

It is not my intention on the present occasion to describe at length all that occurred at La Granja in 1832, or to enter fully into the question of succession. For complete information on both points I refer the reader to my three former works. But here, as elsewhere, the author of the pamphlet is faithful to his system of deception. He tells us, apparently for the purpose of producing a false impression, that the King was induced to "settle the crown upon Don Carlos," as if the latter acknowledged the King's power to settle the crown on any one,

* The *cuarto* was so unpopular among the liberals that one of the men in power was constantly heard to say, *es menester taparlo con cal y canto*—it must be shut up with bricks and mortar.

or was willing to take as a gift that which he claimed by right.

On this occasion, as throughout his life, the Infante never swerved from the straight path of duty. While he respectfully declined the request of his brother, first to renounce his own claim, and then to share the Regency with the Queen, he peremptorily rejected the advice and solicitations of powerful supporters to take upon himself the Regency during his brother's illness, and thus secure the public tranquillity and his own succession. It was in such a state of things, under the immediate apprehension of a civil war, to sustain which she was utterly unprepared, that the Queen yielded, and recommended the revocation of the Pragmatic Sanction.

The "generosity which," according to her anonymous eulogist "has few parallels in history," consisted in reluctantly giving up what she felt herself too weak to retain. Afterwards, when she found herself strong—when she had occupied with her adherents every civil and military station, and secured the assistance of foreigners to destroy the laws of Spain, this *generous* princess forgot her generosity and readily maintained her daughter's illegal claims through all the horrors of a civil war.

I should add that the ministers, far from being in the interests of the Infante, acted with

the Queen throughout. Both she and they yielded from the same motives, but when the King for a time revived, and the Queen recovered her influence and forgot her apprehensions, the ministers suffered for having shared her fears. This was their only treason.

The author of the pamphlet goes on to say, "although Lord Carnarvon declines to *investigate the delicate question of the succession*, we deem it expedient to say a few words upon a matter which appears to us extremely simple;" but he does not add his Lordship's reason, namely, that the question had been discussed already, and as far as Don Carlos's claims were concerned, in one of those works to which I have already been obliged to refer my readers. His Lordship's opinion of my pamphlet entitled "Spain" is expressed in terms which it would ill become me to repeat. They are such as more than console me for the silence of my anonymous opponent.

I shall not follow my antagonist through the whole of this "simple matter," in treating of which, *simple* though it may be, he has been *simple* enough to fall into numerous errors. Most of these it would be tiresome for me to expose a second time; but when he tells us (p 8.) that the Cortes of 1713 was "a mock Cortes"—that "Philip V. disregarded the remonstrances of the Council of State"—that "he proclaimed the

Salic law to be the law of the land by his sovereign will and pleasure," and that "this arbitrary and insolent decree was not registered in the usual form," he must pardon me if I decline to admit these new discoveries in Spanish History, on the mere *ipse dixit* of a gentleman without a name.

I hope he will not be offended with me for disputing his right to annul "by his sovereign will and pleasure" a law that disturbed no vested right, that secured the independence of the country, that was the pledge of European peace, that remained on the Statute-book of Spain for 117 years, and was as regularly enacted and as firmly established as our own Act of Settlement.

The law of Philip V. certainly modifies the rule of succession sanctioned by the code of the *Siete Partidas*, but though the author of that code had the surname of Wise,* I am not aware

*Alonso X. might justly acquire the name of Wise from his general proficiencies in learning, and especially in astronomical science, if these attainments deserved praise in a King who was incapable of preserving his subjects in their duty. As a legislator, Alonso by his code of the *Siete Partidas*, sacrificed the ecclesiastical rights of his crown to the usurpation of Rome, and his philosophy sunk below the level of ordinary prudence, when he permitted the phantom of an imperial crown in Germany to seduce his hopes for almost twenty years.—*Hallam's Middle Ages*, v. 2, p. 17.

that his wisdom was of so divine and unerring a nature that whatever it enacted was unalterable by succeeding legislators. The Code of this Spanish Solomon was in fact set at nought by his own son, and indeed was not observed, even in Castile, till it was sanctioned and published by Alonzo XI. at the Cortes of Alcalá de Henares. In point of authority it only occupied the fourth place after the Laws of Toro, the Statutes passed in Cortes, and the Recopilacion, and all four codes, like all laws in all States, were liable to be altered, as occasion required, by the adequate legislative authority.

This legislative authority was exercised by Philip V. in the Cortes of 1713, and his law could only have been set aside by an equally valid proceeding. The Cortes of 1713 were openly and regularly summoned for the express purpose of deliberating on the Law of Succession, and the members furnished by their constituents with the requisite powers to that effect. Ferdinand, or rather Christina, well knew that such Cortes would never consent to rob the Infante of his right, and therefore they preferred to assume the validity of the secret and abortive proceedings of 1789, proceedings so manifestly illegal, that the author of the pamphlet has not once ventured to allude to them.

The Cortes mentioned at p. 9 of the pamphlet were not called by Ferdinand "to confirm his act," for his act, according to Cristino law, required no confirmation, but itself resuscitated and confirmed the proceedings of 1789. They met not to deliberate, but merely to take the oath to his daughter. The question of succession was never once mentioned in their presence, but on the contrary studiously avoided. Yet the writer, who, to produce a false impression on English readers, appeals to this assembly of mutes, has the effrontery to talk of the "mock Cortes" of 1713!

The motives of the latter Cortes, and of Philip V. are sufficiently obvious, and who can deny that they were laudable? The course of events had been such that Spain had been exposed to all the evils without enjoying any of the advantages that belong to the rule of female succession, and in consequence the country was strongly in favour of an alteration. The current of European opinion ran in the same direction, for the nations were yet smarting from the wound of a bloody war, which had arisen from the same cause.

The law of Philip V. gave effect to the stipulations of the treaty of Utrecht, and the object of both was to prevent the union at any future period of the crowns of France and Spain on the same head. It is consequently

part of the international law of Europe. It is however an error to confound it with the Salic law, for by the latter, females are utterly excluded, but by the law of Philip V. on the extinction of the male line of that monarch, the daughter of the last reigning male is to succeed to the throne, and transmits to her descendants according to the same rigid agnation as before. By the limitations of this law the "innocent Isabel" herself, and her equally innocent sister take precedence of the House of Savoy.

The pamphleteer pronounces at p. p. 8 and 9 a pompous panegyric on the Cortes of Cadiz, a panegyric which contains a mis-statement in every line. This arrogant, disloyal, corrupt and revolutionary body certainly established the right of female succession, among various illegal acts, and it would have been strange if the men who stripped their absent King of his prerogative, seized his power and usurped his very style, had spared the rights of his brother. But why has he not stated that the King on his return to Spain annulled all their proceedings, and that their acts were afterwards no more regarded than the acts of the Commonwealth and Cromwell are with us?

Through the whole paragraph he never once mentions the word "Constitution," though this was the name which his favourites, the "mock Cortes" of Cadiz, gave to their act of usurpa-

tion. This caution (to use one of his own phrases) "is not without its object." It would appear from his next paragraph, that by the time of Ferdinand's death the Spaniards were so far from feeling grateful for what the Cortes of Cadiz had done for them, that "nobody dreamed of re-establishing the Constitution, the memory of which was held in general aversion," and he quarrels most unjustly with Lord Carnarvon for talking of the Constitution-
 alists as an existing party.

He has been pleased to bring before us the Cortes of Cadiz, a body whose acts were acknowledged neither by Ferdinand, Christina, nor Don Carlos. Why then does he pass over in profound silence the Cortes of 1789, a mock Cortes I allow, but still the Cortes on whose secret, imperfect and abortive proceedings, after they had lain concealed and unratified for forty-one years, Ferdinand chose to rest his illegal Pragmatic Sanction? I have elsewhere given a full account of this strange affair, which it would seem, the author of the pamphlet could not make up his mind to defend. His silence does honour to his discretion. It was not for the advocate of Isabel to lay bare the rotten foundation on which her claim reposes.

At p. p. 9 and 10 of the pamphlet Lord Carnarvon is taken to task for saying that "the Constitution-
 alists warmly professed their alle-

giance to the Queen, from a well-grounded conviction that the questionable nature of her daughter's title would eventually compel her to look to them for assistance and consequently embrace their views." Now what does the pamphlet say of the matter? "Men who wished to be no longer governed despotically, and those who thought Spain fit for some form of representative government, professed their allegiance to the Queen, because the political system which it was evident she would be obliged to adopt, was in harmony with their opinions and the only one by which both she and they could combat the party who for years had been making war on the insufficient despotism of the King."

Surely this is the same thing in other words; the only difference is, that Lord Carnarvon is clear and concise, while his censor is diffuse and obscure. The latter however acknowledges, as far as his meaning can be discerned through the mist of his *verbiage*, that, "the men who wished to be no longer governed despotically (for he will not allow them to be called 'Constitutionalists') supported the Queen, not because they thought her cause was just, but because they expected she would serve their purposes. This is true liberal morality! It is the same flagitious disregard of justice which runs throughout the pamphlet, and which

I shall soon have occasion to reprobate and expose.

I shall embrace another opportunity of discussing the nature of the civil war, and shall at present proceed to take into consideration the Basque privileges, as they now exist. On this subject Lord Carnarvon is accused in the pamphlet of having written a *Romance*. This is a strange accusation to come from the author of the pamphlet. Lord Carnarvon's picture, with all its glowing colours, is a correct likeness; it is the pamphlet that is the *Romance*, and a romance too that has not even the merits which belong to a well-conceived work of fiction, for it teems with improbabilities and inconsistencies, and has no resemblance whatever to the truth. The author maintains (p. p. 17, 18, 19, 20, 21) that the privileges of the Basques have of late years existed merely in name; it is my present purpose to show that they have retained their original vigour to the present day.

To prove my case, the first witness I shall put into the box is my antagonist himself. He says, speaking of the privileges, "their nominal existence has not been attacked, though often threatened, and probably for a private object; for the Deputy from the Provinces, who came to Madrid to watch over their interests on such occasions, usually found some solid arguments for convincing the Minister of the inexpediency

of his measure. The Kings of Spain, we repeat, with a view to the maintenance of absolute power, have always deemed it expedient not to abolish the privileges."

This is indeed *Much ado about nothing*. Here we have the Minister threatening nominal privileges for the purpose of extorting a real bribe; upon this, up posts to court the Deputy of the provinces, (unlike the author of the pamphlet) well provided with *solid arguments*, to interpose in defence of the endangered nonentities; but, after all, he might have spared his pains and his purse, for the kings of Spain have always considered these shadows to be of service for the maintenance of absolute power! What a rabble of contradictions are banded here to make war upon the truth! Did it never strike the author of the pamphlet that there could not be a stronger proof of the substantial existence of the privileges, than the fact that they were the object of popular interest, ministerial bribery and court intrigue?

At p. 19 he promises to give us a few instances, "to show how in latter years the Basque privileges have been virtually set aside with the tacit consent of the people." His *few* instances are *two*; and I will give the first in his own words. "In 1818 a general levy of troops was made, for the purpose of sending an expedition to South America. The Basque

provinces, notwithstanding their privileges, were ordered to furnish their quota; no resistance was offered, but the Basques offered money instead of men, and the money was more acceptable to the King. They tendered six millions of rials, and were ordered to pay ten, which they did."

Now if the King ordered the Basques to furnish a quota of men, he violated their privileges, in form as well as in substance, which is more than the author himself contends for; but how did the Basques obey this *order*? Their task was simple enough; they had only to do as they were bid. This however they did not do; they presumed to deliberate, instead of obeying, and when they were asked for men, made an offer of money. But "the money was more acceptable to the King." Indeed!—Then why not ask for it at once? Why run the risk of being taken at his word by men to whom his word was a law? However, the King preferred to talk in riddles, and was fortunate enough to find every Basque an *Œdipus*; but these people, who had the sagacity to discover that the King wanted money, when he asked for men, could not divine that ten millions of rials would be more to his mind than six!

Here is an incongruous Romance indeed! Facts, we are told, are stubborn things, but in the hands of this unskilful Romancer fictions

are as stubborn as facts. Even if his assertions were correct, I might claim them in favour of the Basques. Despotism moves in a straight path ; management, shifts and roundabout ways are the resources of limited power. The transaction, which this writer sets before us, never could have occurred between an absolute King, and subjects whose only privilege was to obey. It is a clear matter of bargain and compromise between sovereign and subject, the usual characteristic of free states. But the King *ordered* the Basques ! This is rather a free translation of the Spanish verb *pedir* ; but the author seems to have been conscious that his facts were insufficient to support his case, and therefore brought forward a stout, burley, imperious word to uphold their weakness. He has thus reduced the matter to an absurdity. To order and to be disobeyed are the lofty prerogatives of this absolute King.

The Basques may have paid ten millions of rials in 1818 to the King, when he asked for money, but I deny the mandate and compulsion. Whatever they give, they have the right to refuse, and I shall presently show that they have exercised that right within the present century. Nor do I deny that a general levy of men may have been made in the year named, but the levies, even in the provinces subject to them (which the Basque provinces are not)

are never made for a particular expedition, but for the general service of the army, the navy and the public works.* The Basque provinces are on another footing. There, in time of danger, every man is a soldier; but the only regular force they were bound by *fuero* to maintain and recruit was the regiment of Cantabria.

The mention of this regiment reminds me of a modern instance of the grasping spirit of Ferdinand's cabinet, and the independent conduct of the Basques. After the restoration of 1823, the whole Spanish army was dissolved, and the provincial regiments alone retained. On this occasion, the regiment of Cantabria was disbanded with the rest. The next year the ministers made a claim upon the Basque Provinces of arrears due to the government for the maintenance of this regiment, which they alleged had been employed at a distance during the war of invasion, and consequently had not been supported by the Basques. The latter replied, that though they had not supported their own regiment, during the period in question, they had maintained at different times the divisions of El Pastor, Lõnga, Mina and others,

* The several expeditions destined for South America were formed of detachments from various regiments, and not from recruits.

besides suffering from the French, and had thus expended for the general defence a far larger sum than the regiment would have cost them. On this ground they resisted the claim of the government. The latter urged their demand for several years to no purpose, but never ventured to enforce it, and it was at last dropped altogether after the affair of La Granja.

Their conduct, before the war of invasion, bore the like free character. In 1804, Godoy sent down to Biscay a number of stamps, and directed that they should be used, and duty on them received, in aid of the general revenue. On this the deputation met, declared the proceeding of the minister an innovation, and proclaimed it inadmissible. The government threatened, but this only produced an insurrection, and the people signified their "tacit consent" to the "virtual" infringement of their privileges by burning Godoy in effigy, seizing the obnoxious stamps, setting fire to some under the tree of Guernica, and employing others in the most unseemly service. It was in vain that General Taranco crossed the Ebro with a body of troops, and penetrated into Biscay. After apprehending and punishing a few individuals, he found it expedient to withdraw, and the proposed stamp duty was abandoned. This affair is still called *La Zamacolada*, from the name of the principal ringleader, Zamacola, an

escribano, a relative of the Basque historian and a man of great influence in the province. To this day, the order for the execution of any warrant from a superior court is, in Biscay, always made out on plain paper, "*En papel blanco* (as the wording goes) *por no usarse sellado en esta mui noble y mui leal provincia de Viscaya*,"—stamps not being used in this most noble and loyal province of Biscay.

The *second* and *last* instance of the *few*, by which the author of the pamphlet has promised to prove the *virtual* violation of the Basque privileges by the "despotic sovereigns of Spain," can scarcely be called an instance at all. If the establishment of the Inquisition (the instance in question,) is to be considered a violation of the privileges, they would have been violated rather by the Pope than by the King; nor do I see what could have been gained in point of *form* by attaching the Provinces to Logroño; it would rather have been an additional degradation, and an unnecessary hardship to have been made amenable to a Castilian tribunal.

But we must not confound questions of civil and ecclesiastical power. The Basques of course submitted to the authority of the Papal See, in matters wholly unconnected with their *fueros*, and as they had always been under the spiritual jurisdiction of the Castilian Bishop of Calahorra,

it was natural that, on the establishment of the Inquisition, they should be attached to the tribunal of a neighbouring town, at which the representative of the diocesan sat as a member. It was probably a mere matter of local convenience, and certainly had nothing to do either with the form or substance of the *fueros*.

Indeed so far was the Inquisition from being virtually established in the provinces, that the reverse seems rather to have been the case. Inquisitorial power was substantially in the hands of the native parochial clergy, a body full of all the peculiar feelings of their countrymen; and, whether from this, or any other cause, it is certain that the "Holy Office" exercised its authority in these provinces with so much lenity as to be little more than a name.

As a convincing proof of the state of public feeling in the Basque provinces on the subject of the Inquisition, it may be observed that, in the sitting of the 18th of May, 1836, and towards the close of the protracted debate in the Procuradores on the electoral law proposed to be established by virtue of the *Estatuto Real*, one deputy spoke of the domination of the Inquisition in the Basque Provinces, when Señor Gaminde, another deputy and a Basque, rose up and indignantly repelled the charge, by replying that the direct power of the Inquisition was never tolerated in those provinces, and that

men who had been persecuted in other parts of Spain and of Europe, sought an asylum there; adding that even Rousseau at one time thought of taking refuge in that sanctuary.

Señor Martin de los Heros, deputy for Bilboa and one of Mendizabal's ex-colleagues, also spoke and told the Chamber that he was a Biscayan and gloried in being a native of a country in which legal liberty and the equality of rights had existed from time immemorial. This deputy asserted that the rights of the Basque provinces are not privileges, as usually understood, and alluded to the bandied question of Biscayan nobility, observing that in Biscay the principle of nobility was equality, while in every other country it was the reverse. The only answer given, in the course of the debate, by the ministers was, that the Basque liberties were *incompatible with the existing order of things*, and this is the only plea the pamphleteer can now allege for their abolition; but ought not the Basques to be parties to the compromise by which this abolition is to be effected?

The privileges of the Navarrese were in many respects less extensive than those of the Basques, but according to the irrefragable testimony of the pamphlet (p. 20) "they were equally disregarded." To prove this, we are told a strange story of the manner in which the Viceroy of Navarre, before he can get any

money out of the Cortes of that kingdom, is *compelled* "to sign a declaration that all his violations of their privileges have been arbitrary and illegal;" but as soon as he has received absolution and forgiveness in the shape of a subsidy, for this full confession of his sins, the graceless Viceroy, we are told, immediately sets about running up a new score. My readers, I trust will readily pardon me for not detaining them longer on the subject of this silly tale, particularly as I am about to produce a decisive testimony as to the virtual and vigorous existence of the privileges in question. I must however allow, that whatever may be the case with the Basques or Navarrese, the author of the pamphlet maintains in full vigour and repeated exercise a certain privilege of his own—the privilege of self contradiction. To convince us that the Cortes of Navarre have no power, he describes them "*compelling*" the Viceroy to sign before they consent to pay.

I have already perhaps said enough to refute the strange notion entertained by the author of the pamphlet, that the privileges of the Basques and Navarrese "have of late years been virtually set aside with the tacit consent of the people." To do this, I have not dived into "ancient chronicles" to find "materials for modern history," but have kept myself within the present century and the memory of the ex-

isting generation. If my recollection had failed me, it would have been no matter, for the solitary instance, which the author of the pamphlet has so rashly produced, would have proved all I could desire.

But perhaps the public will not think it unreasonable that one disputant at least should say something of his authorities, and those which I shall produce are such as I am sure must satisfy the champion of a liberal minister; some of them indeed have attracted the favourable notice of my antagonist himself. I hope however, that in bringing forward my witnesses, I shall not incur the displeasure of Lord Carnarvon. Whatever may be the other merits of his *romance*, I shall be compelled to deny its claim to the praise of original invention, for I have to produce an American republican, the Cadiz Cortes, and Cristino Basques, all before him in the same "tale." They and his Lordship are all romancers alike. Lord Palmerston's champion is the only historian. Truth, rejected and expelled by Conservative Peers, American Republicans, and Spanish Liberals, nestles only in the sheltering pages of the ministerial pamphlet. Some may consider my first authority rather antiquated, for it is of no less than fifty years' standing. This is however the nearest approach that I shall make to "ancient chronicles."

Mr. John Adams, formerly President of the United States, and one of the founders of their Independence, in his defence of the American constitution, says of the Basques—"While their neighbours have long since resigned all their pretensions into the hands of kings and priests, this extraordinary people have preserved their ancient language, genius, laws, government, and manners without innovation longer than any nation of Europe."—"Active, vigilant, generous, brave, hardy, inclined to war and navigation, they have enjoyed for two thousand years the reputation of the best soldiers and sailors in Spain, and even of the best courtiers, many of them having, by their wit and manners, raised themselves into offices of consequence at the court of Madrid. Their valuable qualities have recommended them to the esteem of the Kings of Spain, who have hitherto left them in possession of those great immunities of which they are so jealous.—Many writers ascribe their flourishing commerce to their situation, but, as this is no better than that of Ferrol or Corunna, that advantage is more probably due to their liberty. In riding through this little territory, you would fancy yourself in Connecticut; instead of miserable huts, built of mud and covered with straw, you see the country full of large and commodious houses

and barns of the farmer, the lands well cultivated, and a wealthy happy yeomanry."

The author of the pamphlet has eulogized the Cadiz Cortes for despoiling Don Carlos of his rights; he cannot therefore find fault with me if I produce a select detachment of that pure and patriotic body to testify in favour of the Basque and Navarrese privileges. My own opinion of that assembly I have already had occasion to record; but, in the present case, its members are witnesses beyond suspicion, for they had the strongest inducements to depreciate those privileges, which nevertheless the force of truth compelled them to praise. They were preparing at the same time to depress the power of the crown, and to subvert the privileges in question; what therefore could have better served their purpose (had they only possessed the requisite effrontery) than to put forth for substantial truths visions like those of the ministerial pamphleteer?—to represent the Kings of Spain as having long since virtually annulled the privileges, and only retained such empty forms as might serve the ends of arbitrary power? They would have shifted from their own shoulders a load of odium, could they have made this *romance* pass for real history, but they knew Spain too well to attempt so gross an imposture. The document which I am about to quote is the Preliminary Discourse

to the Constitution of 1812, a document drawn up by a select committee appointed by the Cortes.

After giving a sketch of the former vigour and present nullity of the Castilian and Aragonese privileges, the discourse presents us with the following contrast, overthrowing in the very first sentence the theory of the English pamphlet.

“The Constitution of Navarre, being still in existence and *in full exercise*, cannot fail to seriously fix the attention of the Congress. It offers an irrefragable testimony against those who persist in believing that polity to be foreign which is observed to the present day in one of the most fortunate and enviable provinces of the empire.” Then after stating that the Cortes, which originally assembled every year, had been reduced to triennial sittings, the discourse goes on thus. “These Cortes, or States General *still possess very great authority*. No law can be established but with their free consent, and for this end, deliberations are carried on without the presence of the Viceroy. When the assembly has determined on a bill (which is called in Navarre *the demand of a law*) then the King approves or rejects it. Even in the former case, the law, after having been drawn up and sanctioned, is examined afresh by the Cortes, who reject it if they find it con-

trary or prejudicial to the object of their demand, making representations on the subject, till the King and Kingdom come to an agreement. But the *latter* may at last absolutely forbid the promulgation and enrolment of the law, should it appear contrary to the public interest."

The discourse then notices the similar precautions taken with regard to votes of supply, the extensive authority of the intermediary deputation that was constantly assembled while the Cortes were not sitting, and the independence of the judicial power. The whole passage is too long to extract, but, throughout, the Navarrese institutions are represented as existing in full vigour, not a hint is given of any illusory declarations, or juggles to subvert in effect what is maintained in form; in a word, every line gives the lie direct to the author of the ministerial pamphlet.

From Navarre the discourse turns to Biscay, and passes over the affairs of that country in a single sentence, which contrasts curiously with the assertion in the pamphlet (p. 18) that "the history of the Basque Provinces is not known." "The Provinces of Biscay," says the Discourse, "enjoy in like manner an infinite number of rights and privileges, which are so *well known* that it is not necessary to specify them."

The author of the pamphlet, at p. p. 18 and 19, refers to the ancient constitutions of Castile and Aragon, and asks "What would this prove as to their actual state?" Then, shortly after, adds—"Thus it has come to pass in the Basque Provinces, where the greater part of the privileges have been annulled *de facto*, though the despotic sovereigns of Spain were too wise to do so by formal decrees."

Now what says the Discourse on these points? "The union of Castile and Aragon was soon followed by the loss of liberty, and the weight of the yoke increased to such a degree that we had lost (it is painful to say so) the very idea of our dignity, with the exception nevertheless of the fortunate provinces of Biscay and those of the Kingdom of Navarre." But it is useless to multiply quotations from the Preliminary Discourse. The public can easily judge from what has been brought forward already, whether it is Lord Carnarvon or the author of the pamphlet, who (to borrow the words of the latter) has endeavoured "to take advantage of the ignorance of his readers."*

* Even now the Cristino government does not venture in that part of Navarre occupied by their troops, to enforce commands at variance with the liberties of that kingdom. In April, 1836, Baron de Meer, the viceroy, holding his government at Pamplona, arrested and sent away the President

My last testimony on this point is from the lips of Cristinos themselves, taking the style of the "Deputation of Guipuzcoa," for though the *fueros* are, according to the author of the pamphlet, such contemptible shadows, the Queen's government have nevertheless thought it expedient to defer so far to popular opinion, even among her own adherents, as to assemble in convenient fortresses, certain persons who assume the title of Deputies for the different provinces. Such an assembly is that which at p. 24 of the pamphlet is called the "Junta of Alava," sitting at Vitoria, a garrison of the Queen's and under the control of her bayonets, and yet it addressed to the government and the Cortes a *free and independent* opinion that the *fueros* had nothing to do with the war.

Last year, a similar body at St. Sebastian's, though surrounded by undisciplined foreigners, plucked up resolution enough to tell the Queen Regent that the Province of Guipuzcoa "had

of the Tribunal of Justice, commissioned by the Queen Regent to open a new court. In this the Baron acted in open defiance of the government, evincing however more wisdom than his superiors, as the new system for the administration of justice, proposed by the Estatuto, was a direct violation of the franchises of Navarre and would have opened the door to the intolerable abuses prevalent in other provinces. This the natives, living under the sway of the "innocent Isabel," gave the viceroy to understand they were not prepared to tolerate.

hitherto preserved its rights and privileges unimpaired"—that, "if they kept silence when those rights were threatened, they would be wanting alike in zeal for the good of their country and for the lawful throne of the "innocent Isabel"—that "it would be neither just, nor economical, nor politic, to abolish their *fueros*, which are advantageous to the provinces, not prejudicial to the nation, founded on rights acquired by Guipuzcoa in the compact made at its incorporation with the Crown, and highly valued by its hardy and industrious inhabitants."

Nor did they stop here, but declared openly, in the same document, that "an army must be always kept on foot to compel them to submit to the loss of their privileges." What must have been the real feelings of these men, liberals though they were, when they could dare to make such a remonstrance as this in the midst of the Queen's foreign mercenaries!

But the privileges never gave half so much trouble to the Kings of Spain as to the author of the pamphlet. At p. 19 he had "virtually set them aside with the tacit consent of the people," at p. 20, "they had long since ceased to have any real and practical existence;" but at p. 21 they rise from their graves with renewed life and vigour, and oblige their persevering opponent to levy a fresh host of truisms,

absurdities and contradictions to put them down a second time. Though "the Juntas of these very provinces have frequently complained (as we are told at p. 23) that no population can prosper under such privileges," though "every province in turn (if we are to credit p. 21) has denominated them privations," it is confessed at p. 23, that "the most numerous party" are clamorous in their support, preferring of course decay and privation to all the blessings of Castilian finance. He amuses us indeed, that this "most numerous party" do not "venture to put forth their real motives against any change of a commercial system which is manifestly injurious to their country," but "under the mask of patriotism advocate their right to fill their own pockets by smuggling."

If this were true, they would not be the only patriots who, under that mask, fill their pockets by commercial intrigues. He has not however condescended to explain how a system can be manifestly injurious to a country, while it fills the pockets of the majority of the inhabitants. Mankind in general would have no objection to sustain such an injury as this. We know however from far better authority than that of the pamphlet, that these provinces formed one of the most flourishing portions of Spain.

When we are told (at p. 23) that the provin-

cial assemblies are willing to give up their right of importing goods duty free, and that throughout the provinces every variety of opinion prevails on the same subject, the most cursory reader cannot but wonder how a house thus divided against itself has stood so long ! But in truth it has never been thus divided but in the deceptive pages of the ministerial pamphlet. The intrigues of the Spanish cabinet have at all times kept up a small court party inclined to its policy, and the seaports of Bilboa and St. Sebastian's naturally differ on many points, from the inhabitants of the interior, but the great mass of the population are devoted to their privileges, and the project of amalgamating the provinces with the rest of Spain was protested against, only last year, by Cristino authorities at St. Sebastian's itself.*

It is indeed self-evidently ridiculous to suppose that a divided province could have been either able, or willing, to maintain, against the whole power of the Spanish crown, a set of privileges injurious to its own prosperity.

It has always been a favourite project with

* " Will the amalgamation of these provinces with the other parts of the monarchy produce any advantage to the whole nation ? And, granting this, will these acquisitions be large enough to atone for the evils which are likely to result from such a measure ?"—Vide Cristino address from St. Sebastian's.

the Spanish ministers to abolish the *fueros* altogether, and particularly to establish custom-houses in the seaports, and advance those on the Ebro to the frontier of France. A vigorous effort to carry this into effect was made in the reign of Ferdinand. At the beginning of 1828, just after the Catalonian insurrection, that Prince and Queen Amelia, accompanied by Calomarde, left Barcelona, and proceeded by way of Zaragoza to the Northern provinces, where they visited the principal towns. The King and his consort entered Bilboa in a car of polished steel, which had been constructed for the purpose at Durango as a specimen of the manufacture of the province, and were entertained with all the magnificence that the inhabitants could display. It was expected, as is customary on such occasions, that they would ask in return for some mark of royal favour, and after due deliberation they requested the King to make Bilboa a free port. But this request, as also that from St. Sebastian's alluded to in the pamphlet, proceeded from the municipalities of those towns, not from the provincial deputations.

Their petition was referred to the ministers, and rejected. It was indeed preferred at an inauspicious moment. In the midst of the provincial hospitalities, the members of the government were occupied in collecting informa-

tion and forming a party on the spot, with a view to carry into execution a plan for the general establishment of custom-houses, in despite of the *fueros*. On the return of the court to Madrid, Ballesteros the financier took up the affair with a very natural eagerness, for whatever difference of opinion may prevail as to the merits of the proposed change, or the justice of enforcing it, there can be no doubt at all that it would have added very considerably to the patronage of the minister.

The measure, however, in itself unpopular, was rendered odious by the insidious and stealthy manner in which the cabinet attempted to effect it. The Basques made no secret of their determination to resist by force any such attempt, and during the whole of 1830, 31 and 32, such a spirit of discontent and defiance prevailed through the provinces, that the government was obliged to give way. It was in this irritated state of men's minds that the attempt was made by Ferdinand to alter the Law of Succession, and the zeal with which the Basques have since maintained the cause of the rightful heir, has been no doubt strengthened by their knowledge of his honourable and upright conduct in opposing the meditated encroachment on their *fueros*.

It is natural enough that this, or any other honourable conduct of Don Carlos should be

utterly incomprehensible to such a person as this Downing-street reviler. The latter accordingly declares, that Lord Carnarvon's account of the transaction is "further removed from reality" than any other part of his "romance," and then with his usual consistency proceeds to admit his Lordship's facts. He allows that the Infante presided at the Council which rejected the ministerial plan, but then "the Council reported that with reference to the general circumstances of the kingdom, it would not be politic to make the proposed change," and the Infante "took no more part in the discussion than the other members," and this is his reply to Lord Carnarvon!

Why has he not told us what the Infante really said? Because he knows that Lord Carnarvon's account is true. He endeavours by hints and insinuations to produce a false impression, but when we come to examine facts, he never contradicts and even partly confirms the account that he professes to refute. A measure that is impolitic with reference to any kingdom generally, may at the same time (as this did) involve a breach of faith to a particular province, and I should like to know the country where the opinion of a popular heir presumptive, even if he took only an equal share in the discussion, would not have far greater weight than that of an ordinary subject.

But, in truth, the Infante did take a prominent share in the discussion, and it was owing to his strenuous opposition that the project was dropped. He knew that the natives were attached to their *fueros*, that the country prospered under them, and (what seems to pass for nothing with his profligate calumniator) that the Kings of Spain were bound by oath to maintain them. These were the opinions which he professed, when presiding at the Council, and in declaring this, I speak from the authority of the Bishop of Leon, himself at that time a member. More than once, when news arrived in London of the early exertions of the Basques and Navarrese in favour of the King, have I heard that Prelate exclaim with earnestness, *Ahora le pagan*—"now they are repaying him!" and similar expressions, breathing both gratitude and devotion, were last year spontaneously uttered in my presence by elders, magistrates and officers on the spot.

I cannot agree with my opponent, that the fact of the defence of Bilboa has "swept away all the nonsense which is talked about privileges and *fueros*;" his pamphlet at least has escaped the general destruction. I am far however from contending that the violation of the *fueros* has been the principal cause of the war, even in the privileged provinces; in the rest of Spain it has of course produced no effect what-

ever. The war that is desolating that country is, in fact, at once a war of succession and a war of opinion, and now perhaps, whatever it may have been originally, is more the latter than the former.

The defenders of Charles V. uphold him as at once the rightful heir, and the champion of justice and religion. With respect to the question of succession, many of those who are in arms against him, are as convinced of the legality of his claim as the warmest of his adherents. Some of these men are no friends to liberal opinions, but after France and England determined to support the infant Queen, they considered the cause of her uncle hopeless, and clung to the only royalty that circumstances, as they imagined, permitted them to support. Many of these unfortunate persons are now exiles, without the consoling consciousness of suffering in a rightful cause.

The liberals are hostile to a Prince who has both the inclination and ability to check their disorganizing principles; they know how much easier it is to undermine the throne of a female infant, under a female guardian, than to succeed against a King of mature experience and determined character. But on the question of succession, the opinions of the greater part of them would be considered lamentably heterodox at our own Foreign Office. Not to mention

others, I have myself heard one of the most eminent among them, while he objected to the opinions of Don Carlos, confess that there could be no doubt of his right. This individual is now a conspicuous member of Christina's cabinet.

But to return to the *fueros*. "What" cries the author of the pamphlet, "did Zumalacarregui care about them? What did Carnicer, Cuesta,* Cuevillas, Basilio, the Cura Merino and the ex-officers of the guard who flocked to the provinces?" Of course the Cura Merino and other Castilians could not have cared about the *fueros* of Biscay, but this writer, who would enlighten our English ignorance on Spanish affairs, seems himself to be ignorant that (not to mention many ex-officers of the guard) Zumalacarregui was a Basque, that he was justly proud of his native privileges, and that, among the many victories which marked his glorious career, none were more gratifying to that hero than the two which he gained in sight of his birth-place. I have shown that even among the Cristinos a strong feeling prevails in favour of these provincial rights, and when we consider that it was only on condition that they should be religiously observed that the Basques submitted to the superiority of the

* Who, by the bye, is this Cuesta? Perhaps Castor is meant.

Castilian Kings, every friend of justice must allow that even if they were as pernicious as they have been proved by experience to be beneficial, they should not be modified but by the consent of the Basques themselves.

Before I dismiss this part of the subject, there is one point to which I must call the particular attention of my nameless friend. I am not going to say any thing of good faith, or right, or justice; such matters are, I know, in his opinion, mere *romance* or poetry; they are beneath his notice, or above his comprehension. But he professes to know not a little of pounds, shillings and pence, and commends our Spanish policy as a promising mercantile adventure. On this subject indeed the denouncer of romance and poetry grows himself romantic and poetical. "British interests," "sources of national wealth," "outlay and return," "market for our productions," "profitable employment of surplus capital," "church and national property for the investment of foreign capital," "vast fields of combined political and commercial speculation"—these baits to cupidity form the burden of his song; these are the glittering phantoms that, as we wander through his work, dance before our eyes, till at p. 141 we arrive at "mines of gold."

These are the base, sordid, grovelling motives which he expects to have weight with English-

men! Throughout his pages he preaches the gospel of Mammon, and he is a lying prophet after all! For whatever may be "the variety of opinion respecting the privileges" with reference to Spain at large and the provinces in particular, there is but one opinion as to the probable effect of their subversion on our commerce with Spain. The Biscayan ports admitted our goods duty free, and as the line of the Ebro was difficult to guard, whatever the provinces themselves could not consume, was easily passed into the rest of the kingdom. The introduction of the Madrid tariff and the establishment of custom-houses would impose a duty equal to 75 per cent., which would be in fact a prohibition. This is self evident to all Spaniards. The letter of Lord J. Hay to Cordova, in which he promised his co-operation against the Carlist ports, produced exultation at Madrid, and as soon as Evans took possession of Pasages a custom-house was established there, as well as at St. Sebastian's.

It is amusing to listen to the causeless complaints of some French papers against the introduction of English goods into the North of Spain, while the coast is thus closed against us, and the line of the Bidassoa open to our rivals. In the winter of 1835, I visited the principal shop at Irun. It was crowded with articles of French manufacture, but not a

British pocket handkerchief was to be seen. The owner pithily observed to me, "the Madrid government excludes you from Catalonia, but here you exclude yourselves." Indeed it is evident that in the whole tirade against free trade and in favour of custom-houses, the writer of the pamphlet is the mere puppet of some Spanish prompter!

We come now to that part of the pamphlet which possesses the greatest interest, particularly when we consider the production as an emanation from Downing Street. To be able to judge correctly between the contending parties in Spain, it is necessary first to obtain a just notion of the privileges of the Basques, and of those laws and customs which regulate the succession to the Spanish crown; but nothing that relates to the internal concerns of any foreign nation can have the same importance, in the eyes of an Englishman, as the views and conduct of his own government.

This conduct has of late been so utterly incomprehensible, that we must listen to any defence of it with more than usual curiosity. The author of the pamphlet therefore may reasonably expect an attentive hearing, while he initiates us into the mysteries of the Foreign Office, and endeavours to reduce to light and order the cloudy chaos of Palmerstonian policy.

Lord Palmerston, in the short space of six or

seven years, has intermeddled more frequently in the internal affairs of foreign nations than all his predecessors for the last century. With him interference has been the rule, and abstaining the exception. On this point therefore we should have looked for ample explanations from any zealous friend who might undertake his defence. These explanations his present champion has not thought fit to give. In a passage, however, which I shall soon have occasion to quote, he has not formally laid down, but obscurely hinted at a doctrine that would fully justify Lord Palmerston, for it would enable any nation whatever to interfere in the domestic squabbles of any other.

If, in the silence of my opponent, I might presume to offer an opinion, I should say, that interference can only be justified in those cases which would justify a war. Now the principles of justice are the same for nations as for individuals; but as nations have no recognized superior, they are like men in a state of nature, and each is obliged to take the law into its own hands. When one man is wronged by another, he appeals to the tribunals of his country, but when a nation receives an injury and all satisfaction is denied, there is no resort but to the terrible decision of war.

There is however one essential difference between nations and individuals. The latter

may generally wait till they are injured, and the law will be able to give them redress; but it is not so with nations. In that great society, where every individual depends on himself for protection and there is no court to issue an injunction against an impending injury, cases constantly occur where it would be certain ruin to wait till your adversary's plans were matured, and he was ready to strike. In such cases there is no remedy but to strike the first blow yourself, and endeavour to crush the mischief in the bud.

I do not of course mean to say that the infliction, much less the apprehension, of every trifling injury would justify a nation in arming forthwith, and falling furiously upon the offender. No wise and just government would appeal to arms but for serious and weighty wrongs; and if nations have often contended for apparent trifles, the only ground on which they can be justified is, that encroachments for the most part begin gradually, that success in one leads to another, and that if a state were to abstain from arms till it had sustained some monstrous and outrageous injury, it might run a risk of being ruined by driblets. Even therefore in such a case as this, though the injury received may be slight, there is a reasonable apprehension of a greater to come. In a word, it may be reckoned a rule without an exception,

that no nation can be justified in waging war on another, but when its security is assailed or threatened.

It is indeed true that nations have often made war in support of their allies, and to fulfil the obligations of treaties; the maintenance of the balance of power has also caused torrents of blood to flow; but in all these transactions (wherever at least they have been justifiable) their own security has been the ultimate object of the parties concerned. If independent nations were so utterly unconnected, that the internal transactions of one could have no effect whatever on the security of another, the interference would then perhaps in all cases and under all circumstances be improper and impertinent, but this is not the case. The internal policy of nations often produces results that seriously affect their neighbours, and leave the latter no choice but between interference and their own ruin.

In discussing this subject, it is unnecessary to speak on the present occasion of friendly advice and unarmed mediation, for our intermeddling in the affairs of the Peninsula has been of quite another kind. A wise statesman, however, would be cautious how he interposed even with friendly advice, for between nations, as between individuals, the best meant endeavours are liable to be misinterpreted; men are

peculiarly jealous of the interference of others in their family quarrels, and are apt to turn a deaf ear to the best advice, rather than appear to be dictated to by the adviser. It thus happens that well-meaning but ill-judging friendship only inflames the passions which it endeavours to cool, and leaves the disputants whom it expected to reconcile more rancorously hostile than before.

An armed interference however is neither more nor less than a war, and a war too where the interloper is sure to be as much distrusted by his ally as abhorred by his enemy. The latter feels himself more deeply injured than by an ordinary war, and the former can never forgive the friend who humiliates him by his assistance. Queen Elizabeth, we all know, interfered between the French Protestants and their Roman Catholic enemies; the former accepted the foreign aid which their weakness rendered indispensable, but, as soon as they patched up a truce with their enemies, they remembered they were Frenchmen, and were as eager as the Roman Catholics themselves to drive us out of their country. If such was the consequence of just interference, what must we expect from such as is altogether the reverse? In Spain the liberals tolerate us at present, because they cannot do without us, but we may judge what will be the consequence of our

success in Spain by the example of Portugal. There we have done our work; we have established a liberal and usurping government, and what has been the result? How do we stand in Portugal? What party there is our friend? Are we not hated by one, detested by another, and abhorred by a third?

For these reasons a statesman of ordinary prudence would consider an armed interference as the most delicate and dangerous of all wars, and would engage in such a quarrel with proportionate reluctance. But cases will arise when prudence herself leads the way in the most delicate and dangerous enterprises. The first War of Succession for instance was at once a justifiable foreign war, and a justifiable act of interference, the former against France, and the latter with regard to Spain, for the union, or even intimate connexion of those two kingdoms was pregnant with danger to the rest of Europe. We took up arms for the just and legitimate purpose of preventing the establishment of a French Prince in Spain, and of putting an Austrian Archduke in his place; but, during the contest our candidate, by the death of his brother, succeeded to the Austrian possessions, and thus became more dangerous to the balance of power than his antagonist.

He had always been objectionable to the majority of the Spaniards, and now became an

object of just suspicion to many of his own adherents. In this difficulty, the administration of Harley and Bolingbroke chose the least of two evils. They submitted to acknowledge the French Prince, and provided in the Treaty of Utrecht (as far as mutual renunciations and positive stipulations could provide) that the Crowns of France and Spain should never encircle the same brow. The Spaniards of course readily embraced a condition that was not more essential to our security than to their own independence, and confirmed the treaty that regulated the succession in the Cortes of 1712.

The treaty of Utrecht, as is well known, excluded the princes of the house of Austria, who were descended from Philip the 3rd, and in preference called to the throne the Princes of Savoy, who were descended from Philip the 2nd. The law of agnation proposed in 1713, by Philip V. and sanctioned by the Cortes, though not the consequence of a positive stipulation with foreign powers, was calculated to establish more completely the independence of the Spanish crown, and afforded an additional security to Spain and Europe.

Though the treaty of Utrecht declares that the kingdoms of France and Spain ought not to be united under the same dominion, and acknowledges the inconveniences that would

attend such a union, there is nothing in the document to prevent a marriage, like that of Louis the 14th with the heiress of the Spanish crown, an event which, if allowed at any time to take place, would render all this part of the treaty a nullity. This defect the law of Philip V. in a great measure supplied, and if such an arrangement was not insisted upon in the treaty, it was probably omitted to avoid as much as possible the appearance of dictating to the Spaniards in a matter where they might safely be trusted, since their interests were the same as our own. The fault of Philip Vth's law is that it does not go far enough, and instead of excluding females altogether, prefers the female descendants of that monarch to the Princes of the House of Savoy. This is the more remarkable, as both the treaty of Utrecht and the law of Philip V. altogether exclude the females of that house, and therefore if the line of Philip were to fail and the House of Savoy succeed, a complete Salic law would be established in Spain. This defect probably arose from the paternal feelings of Philip, who, though he might have no objection to prefer some of his descendants to others, would naturally be reluctant to exclude any of his own race for the sake of admitting aliens.

It is not very probable that the Duke of Orleans should marry the "innocent Isabel."

The disparity of years indeed would form no material objection to such a union, and our infant *protégée* may perhaps have reached the age of womanhood before the Prince has obtained a bride; but the repugnance of every Spaniard and the opposition of the great military monarchies would be formidable obstacles to such an ambitious scheme. Besides, the life of Louis Philippe is aimed at by unknown numbers of hidden assassins, and if one succeeded, where would be the dynasty of the Citizen King? What would the Duke of Orleans be? An exile and perhaps a pedagogue.

But though this union of France and Spain may be in the highest degree improbable, we may thank the present ministers for having made it possible. From the mere lust of interference, or from the more criminal and mischievous motive of liberalizing every nation and undermining every throne, they have cast down the bulwark which their predecessors raised against French aggrandizement,—they have done all in their power to enable Louis Philippe to realize the ambitious designs of Louis the 14th.

But it should be remembered that the Duke of Orleans has brothers, and that Spain would form a magnificent appanage for a younger son. The very alarm that such an alliance would cause to the Sovereigns of Europe would be

a principal inducement for Louis Philippe to attempt it. Could he succeed in uniting one of his younger sons to a Spanish Queen, it would be the interest of all Europe that his elder sons should leave legitimate children behind them, and the reigning houses of Europe might no longer stand aloof from intermarriages with the "best of Republics." Their present coolness on this point must be the more mortifying, as the House of Orleans never found it difficult to ally itself with royalty, till its chief had usurped a throne.

For such an alliance, and for new family compacts in consequence, the Quadruple Treaty has smoothed the way. I allow that Lord Palmerston, with admirable consistency, has furnished at the same time both the bane and the antidote; the tottering dynasties with which he has allied us may probably be overthrown by the revolutionary anarchists whom he has encouraged. This is the extent of his stateman-ship, to cure one evil by another and a greater.

The hostility of our government to Don Carlos is the more unaccountable, because it is clearly contrary to our own interest and utterly unprovoked by any conduct on his part. We do not so much as pretend to have been injured by him, or to apprehend any danger to ourselves from his success, and in the records of civilized nations the present case is perhaps

the first in which one party has assailed another without at least alleging some real or pretended ground of complaint. We have not even had so much respect for public opinion as to seek by excuses to varnish over the rottenness of our cause, but have exposed our injustice impudently naked to the gaze of all the world without any veil whatever.

On what ground indeed can we rest our justification? It has, I know, been held by statesmen of a very different character from Lord Palmerston, that treaties are sacred things, and whatever may be the demerits of the Quadruple treaty, England is bound by what her minister has signed. Far be it from me to seek to loosen the ties of good faith, or relax the obligations of treaties. How could peace be maintained between States and quiet among individuals, if we could not rest in security on solemn engagements? But treaties are not more binding on nations than oaths are on individuals, and both lose their virtue when they are perverted to the purposes of violence and wrong. If it were otherwise, nothing more would be requisite to justify any crime, than to commit it in company, and there would be less guilt in entering into illegal combinations than in repenting and renouncing them.

In this perverted morality, our noblest feelings would prompt our worst actions, and good

faith would be the handmaid of injustice. When France and England made a league, in 1672, to conquer and divide the United Provinces; when, in the last century, Russia, Austria and Prussia combined to partition Poland, would it have been a breach of faith, and a violation of treaties if any one of the allies had withdrawn from his comrades, and refused to perform his part in such flagitious engagements? And in what respect were those flagitious engagements worse than the Quadruple Treaty?

I do not here insist on the glaring impolicy of the treaty. If it were simply a bad speculation, if it bound us to inflict injury on nobody but ourselves, then no doubt it would be our duty to fulfil it to the last tittle. That it exhausts our arsenals, that it wastes our blood, that it ruins our trade, that it facilitates the union of France with Spain—these might be excellent reasons perhaps for impeaching Lord Palmerston, but none for shrinking from our engagement. But if it is once proved to be unjust, our bonds are snapped asunder. No human compact can supersede the eternal principles of justice, and should we have unwarily contracted an engagement that militates against those divine and immutable laws, we have not merely a right, but it is our bounden duty to break it. It is impossible to allow any treaty

to be binding, and at the same time to maintain it to be unjust.

I have dwelt the longer on the right of interference, because on that right, as it appears to me, depends the justice of our cause, and on the justice of our cause depends the obligation of the Quadruple Treaty. The writer of the pamphlet says very little on the subject; possibly he may think that to take the lives and seize the property of men who have never offended you, is so much in the usual course of liberalism that it needs no defence. He tells us however, at p. 41, that he does "not consider that England, whatever may be her wishes or her interests, has a right, or that it is her policy, to meddle unasked in the internal affairs of other countries, but she has a right to rejoice," &c. "A right to rejoice" is no very important matter, and I leave to the writer of the pamphlet to explain what its practical effect may be, but a right to act is quite another thing.

This passage of the pamphlet is of importance, as it is, I believe, the only one in which the author favours us with any hint of his opinions on the right of intervention. This, according to him, depends on your being asked to interfere. This is the only justification which he has given us of our interference in the present Spanish quarrel, and it must be owned

that it is sufficiently comprehensive. If both parties in the dispute had requested our interference, then there would have been no doubt as to the right ; whether we should have interfered or not, would then have been a mere question of prudence ; but, in the present case, one side only has invited us to intermeddle, and this, it seems, is an ample warrant to us for falling upon the other, and visiting with all the miseries of war men who have never injured us, and whose interests are in fact our own.

But this warrant, as I have before observed, is comprehensive indeed, for it goes far to justify interference on every possible occasion. When men are once thoroughly heated in civil wars, they are not over nice in the choice of their allies, and the more they are pressed, the fewer scruples they feel in resorting to what my anonymous friend calls "the anti-national expedient of foreign bayonets." There never was, I suspect, a party so supereminently national as to prefer destruction by their countrymen to victory by means of foreigners.

If therefore a request from one party justified intervention, what intervention might not be justified ? Elizabeth of England and Philip of Spain had an equal right to interfere in the internal concerns of France, for the former was invited by the Huguenots, and the latter

by the League. The same rule that justifies us in assisting the "innocent Isabel" and the chaste Christina, would be an equally valid warrant for the "Holy Allies" to interfere in favour of Charles V.

What a pity it is, that the author of the pamphlet was not capable of wielding a pen towards the close of the last century! He tells us, in the same page, that he is "far from advocating the cause of revolution any where." How he would have denounced the Polish Revolution of 1791 that called forth the eulogy of Burke; the revolution that abolished the *liberum veto*, and established hereditary right! How he would have extolled the confederates of Targowitz, who took up arms to re-establish the fundamental laws of the kingdom, and justified the interference of Russia by their previous invitation! The champion of the "innocent Isabel" would then have worn the colours of the immaculate Catherine, and the jurist whose "law and justice" condemns every Carlist to the block, would have thought his Muscovite friends too merciful by half for sparing the "rebel" Kosciusko.

It is indeed difficult to set any bounds whatever to so comprehensive a rule, for if we may interfere whenever we are asked, we may, with a very little management, contrive to be always asked, whenever we wish to interfere. In this

manner work might be cut out till doomsday for an endless succession of Palmerstons. With this convenient key we might uncloset so wide a gate,

That with extended wings a banner'd host,
Under spread ensigns marching, might pass through,
With horse and chariots ranked in loose array,—

a gate that would open upon a turbulent stormy chaos, where we might be tossed for ever on the surge of unceasing intervention.

But though the author of the pamphlet has the discretion to slur over as much as possible the question of right, he is not so reserved as to the policy of our intervention. It is here that he blows the trumpet before his patron—it is here that he shouts "Great is the Richelieu of Downing Street." Lord Palmerston must be quite astonished to find himself so unparalleled a statesman. His champion at p. 45 draws aside the veil from the recesses of the Foreign Office, and shows us his mighty master in the very act of political incubation. There he sits chuckling on his nest and hatching "a confederation of constitutional governments in the West to make head against the despotic confederation of the North and East of Europe." His panegyrist is quite beside himself at the magnificence of the conception. "A common interest," he assures us, "would

bind together England, Belgium, France, Spain and Portugal. A greater project never was formed by statesmen." This single sentence, if Lord Palmerston has a spark of gratitude, should make an ambassador of our pamphleteer.

This original device of the greatest of statesmen has certainly revolutionized our whole foreign policy, and overturned the system of our ancient alliances. Whether the new system will be more to our advantage, time will show, if indeed it has not done so already. Our old jealousy of France was the result of the plainest dictates of common sense. She is our ancient rival, our nearest neighbour, by far the most powerful of the continental states, and the only one whom we have any reason to fear. Her moral influence on surrounding nations has at all times been even more formidable than her arms. The very friendship of such a state is not to be embraced with implicit confidence, since few enemies are more dangerous than an over-powerful ally.

Against this mighty neighbour we endeavoured to secure ourselves by cultivating the good will of the great military monarchies to whom France was equally an object of jealousy as to ourselves, and who could never be dangerous to us, either as friends or enemies. The policy of Holland, like our own, was in-

fluenced by the same natural jealousy of France. Pressed between two great powers, one of which could at the worst only destroy her colonies and commerce, while the other might swallow her up altogether, she wisely chose to secure herself from the greater danger by forming connexions with England and her allies. Whenever choice or necessity has placed enmity between England and Holland, both nations have had cause to repent of hostilities, so contrary to their mutual interests.

All these old-fashioned doctrines of our benighted ancestors are to fade before the dawn of the great Western Alliance. We have already despoiled and trampled on Holland; as to the great military powers, every third page of the official pamphlet teems with expressions of rancorous malignity against "despotic sovereigns" and "Holy Allies," and while we are to dismiss all jealousy of a state within one hundred miles of our metropolis, with a compact territory, and a concentrated, intelligent and energetic population, our rival in every art, with a navy and revenue only second to our own and capable of striking at the heart of our greatness, we are to tremble before a half-peopled, half-civilized, half-European empire, separated from us by several great kingdoms, communicating with the Ocean, or rather cut off from it by a succession of inland seas,

and unable to assail us even in our remotest possessions. For security against Russia, we are to throw ourselves into the embrace of France.

The reader will scarcely believe that the danger from which nothing can save us but the "greatest project that ever was formed by statesmen," is neither more nor less than the prospective colonial greatness of the Holy Alliance in general, and of Russia in particular. He will find it difficult to believe that heart could conceive, or tongue utter, or hand indite such an outrageous and portentous absurdity, but I can assure him upon my honour that he will find it written at p. p. 44 and 105 of the pamphlet.

In the former page he will be told, "that, if Don Carlos succeeded to the throne, the Holy Alliance would be all-powerful in the Peninsula, and that Russia would become as formidable to us at Lisbon as at Constantinople;" from the latter he will learn that if we had not interfered, "the Peninsula would have become an outpost of the Holy Alliance in the West. It might have cost them some trouble and expence to maintain the colony, but the possession would have been theirs, and the East of Europe would have been the mother country of the Peninsula."

When this writer has the indiscretion to re-

mind us that Russia is formidable at Constantinople, I cannot refrain from asking him who made her so? Was it not Lord Palmerston himself? When the Sultan implored our assistance against the Pacha of Egypt, did he not meet with a refusal? Was he not compelled as his last resource, to take refuge under the shield of Russia? Has he not in consequence become the vassal of a Muscovite superior? And why was Lord Palmerston unable, for I will grant that he was willing, to interfere? Why did he, who is now so absurdly alarmed lest Russia should make a colony of Spain, why did he then stand aloof, and permit the aggrandizement of that empire in the only quarter where it can ever become dangerous? What was it that held his hands but his own unprincipled liberal policy? We could not be every where at once. We were so busy acting the pirate by Holland, and the incendiary by Portugal, that we could not do our duty to Turkey and to ourselves. France, whose interests with regard to Turkey were the same as those of England, was, like us, engaged in fostering the embryo of the Quintuple Alliance. But though France neglected Turkey, she was gaining an equivalent at home. She was securing a province, where we were dismembering an ally.

I have little doubt that the grand Western

Alliance will prove a losing speculation to the principal shareholder. Deep and just resentment from the allies whom we have deserted; jealousy, suspicion, and ill-concealed hatred from those whom we have courted, but not secured, are the only returns that we can gain from this ridiculous adventure. Belgium owes us no thanks for our gift of a nominal independence; in Portugal our officers step ashore at their peril; Spain, though a stage or two behind Portugal, is travelling the same road; and as to France, what a rotten staff we are leaning on there! Every thing in that distracted country depends on the chance of a bullet. And however they may be changed in other respects, the French still retain all their old jealousy of England. Lord Palmerston's favours are thrown away on their obstinate incredulity. He cannot gain their confidence, though he has given them Belgium for a department and Africa for a colony.

However I will suppose all difficulties to be overcome, all jealousies lulled to sleep, and this Quintuple Alliance in full operation. The peaceful policy of Lord Palmerston will then have divided all Europe into two hostile confederacies, fairly pitted against each other, and eager to close in a desperate and unsparing war of opinion. The event of such a war who can presume to foretell? But the manner in

which that war is to be conducted, will, (it appears from the pamphlet) be a complete departure from all ordinary rules. "The friendly ports and geographical position" of Spain will then be "of inestimable value to us." What! in a war against the East of Europe? against a confederacy of which Russia is the head? He would be a long-sighted politician indeed who would think of watching Cronstadt from Ferrol and Sebastopol from Cadiz. But I suppose the grand Western Alliance is to revolutionize geography as well as governments.

But, exclaims the ministerial apologist, at p. 41, "we are far from advocating the cause of revolution any where." Indeed! not even where revolutions may be necessary? Not where they may lead from tyranny to freedom, or from anarchy to order? Why this is a flight above the most uncompromising ultra-toryism, particularly for an author who only just before had approved of a "change from despotism to liberal institutions," railed at "the double yoke of kingly and priestly despotism, with all the train of degradation and corruption which they bring with them," and in plain terms told the "autocrats of the Continent" that "they should be compelled to listen to public opinion, and that their will should no longer occupy the place of reason."

All this is pretty well for a gentleman, who is

“far from advocating the cause of revolution any where,” but it is not all. His disavowal of the cause of revolution is no sooner out of his mouth, than with admirable consistency he pours forth such a torrent of stale Jacobin slang about “absolute monarchs” and “popular rights” and the arrival of “the time when the happiness or misery of multitudes can no longer depend exclusively upon the caprice of one man,” that he seems to be half afraid of having gone too far, and acknowledges that what he says “may be sneered at as chimerical or reprobated as revolutionary.” Here at least he has stumbled on a truth.

I cannot however refrain from asking this Jacobinical anti-revolutionist, since he is bent upon converting royalty from the error of its ways, whether softer words might not serve his purpose better, whether he might not balance his style on some *juste milieu* between flattery and invective, whether since he is determined to thrust under the noses of “despots” and “autocrats” the flowers of his rhetoric, it would not be more seemly to pluck his nosegay from some other garden than that of Billingsgate. A hectoring tone and bully’s swagger are less likely to persuade a spirited opponent than to provoke him to bid us come on and do our worst. And after all, instead of visiting the “Holy Allies” with a scolding lecture, or with

any lecture at all, should we not be wiser if we endeavoured to convince by example rather than by precept, and by exhibiting at home the alluring spectacle of an orderly, vigorous and consistent government?

How can we wonder that the "Holy Allies" should feel a disinclination to "reform themselves," when they behold the scenes of Nottingham, Bristol and Lyons? Why should they cultivate a tree that bears such bitter fruit? Those princes know that the first and most sacred duty of governors is to protect the lives and property of those whom God has committed to their charge; they have no turn for agitation; they are so blind as to discern neither honour nor advantage in permitting their principal cities to be burned about the ears of the peaceable inhabitants. The only Liberty worth possessing is the sister of Order. If the Liberals really wish that the "Mountain Nymph" should captivate the kings of the earth, let them dress her out to more advantage, teach her better manners, and make her fit to appear in decent society. As matters stand at present, what respectable sovereign can debase himself by a low amour with the drunken and disorderly termagant whom they present to his embraces, or take such a destructive and incendiary Thais for the companion of his banquet?

The Northern powers, remembering no doubt that "evil communication corrupts good manners" thought it the most prudent part to stand aloof after the death of Ferdinand and let France and England, without any assistance of theirs, rock the cradle of Spanish revolution. While the "best of Republics" and "the greatest of modern statesmen" hastened to acknowledge the cradled majesty of Isabel, the "despots" seem to have thought it reasonable to pause, till they could clearly ascertain the sentiments of the Spanish nation at large. They therefore withdrew their ambassadors from Madrid, instead of hurrying with breathless haste to declare for either party in the impending civil war. This cautious reserve is not admired by the adventurous author of the pamphlet.

The underling of such a statesman as Lord Palmerston fancies himself qualified to read a lecture on politics to the Metternichs and the Pozzo di Borgos. According to him they would have played a more advantageous game by "recognizing the Queen and extinguishing the hopes of Don Carlos." They should have rested on the "enlightened despotism" (or as he interprets it for the benefit of John Bull, *despotismo ilustrado*) "of the Queen's early friends." "Liberal principles would have made their way, but the *despotismo ilustrado* would have been modified gradually." In short

according to this eminent politician, it is wisdom to travel a sure road to ruin, as long as it is a slow one, and it is a foolish speculation to keep out of harm's way altogether. The notion has certainly the merit of originality.

Whether the Northern Powers might not have partly hesitated, from a belief that Don Carlos was the rightful claimant, is what the author of the pamphlet altogether passes over, but he really ought to have remembered that, though so liberal and enlightened a person as himself may have left in his nursery the antiquated notions of justice and duty, they may still be supposed to linger in the benighted intellects of legitimate Kings. It seems however, from the event, that even considering the matter as a mere speculation, the ignorance of the "despots" has served them better than the wisdom of their volunteer Mentor would have done. He would have drawn them up in a series of indefensible positions. Beaten from the *despotismo ilustrado*, they might have retired on the *Estatuto Real*, to be routed from that also with the loss of all honour and principle, and finally driven back on the Constitution of 1812, in the reputable society of Jew Jobbers and drunken sergeants.

The author of the pamphlet is pleased to talk, at p. 123, of the "ignorant masses," and

“bloody fanatics” by whom Don Carlos is supported, and modestly assures us that the contest is “between intellect and numbers,” that “the Queen’s is in reality the conservative cause,” and “that of Don Carlos the cause of revolution.” This is all of a piece with the usual arrogance and intolerable self-sufficiency of the liberals, who never can speak of the labouring classes with common civility, except when they seek to cheat and deceive them. Their humbler fellow subjects are never “ignorant masses” except when they are too knowing to be misled; they are never blind but when their eyes are opened to their real interests; they are never deaf but when they listen to the dictates of religion and loyalty.

The Northern powers seem to have suspected in 1833 what this liberal writer is reduced to acknowledge in 1837, that Don Carlos is supported by the majority of the Spanish People, and that the “intellect” of “the Queen’s early partizans,” in spite of “the anti-national expedient of foreign bayonets,” might lead to nothing but disaster and ruin. They “read the signs of the times” rather better than to ally themselves with the intellectual adherents of the *despotismo ilustrado* and the *Estatuto Real*, those worshippers of God and Mammon, who, in order to crush the “bloody fanatics” of Don Carlos, fostered to their own destruction

the ten thousand times bloodier and more fanatical faction of the movement—a faction however which, with all its crimes, has at least conferred one benefit on Spain, inasmuch as it has sent such mischievous and blundering “intellect” to gather wisdom and experience in a foreign tour.

The fate of M. M. Martinez de la Rosa, Torreno, Frias, Isturiz, Osuna, Miraflores, Cordova and others, now exiles from their country and the victims of more exalted liberalism than their own, forms the best justification of the policy of the Northern Powers. They have now reason to congratulate themselves on having declined to assist in persecuting the party with whom they could not but have sympathized, on having left to France and England the task of maintaining that “conservative cause” which has carried desolation and bloodshed into every corner of Spain, and whose members seem to have thought that the principal use of “ignorant masses” was to furnish materials for wholesale massacres.

With all his aversion to “the despots and autocrats,” their lecturer however declares, that he “will not do them the injustice to believe that they ever attempted to settle the affairs of Spain by a marriage between the Queen and the Son of Don Carlos,” and he professes to “believe that both the parties, whom it would

most concern, are too well convinced of their respective rights ever to entertain such a project." This is undoubtedly true with regard to Don Carlos, whose sincere conviction of the justice of his cause is here acknowledged by a bitter enemy.

As to the merits of the plan, it is not my purpose to discuss them. The writer of the pamphlet says, that "its monstrous results might be exemplified in a thousand different ways, were the proposition any other than a crude notion thrown out for party purposes." I am infinitely obliged to him for sparing me the necessity of travelling through his "thousand different ways," but when he calls the scheme "a crude notion thrown out for party purposes," I must ask this reviler of "ignorant masses," whether he is himself really so ignorant as not to know that this "crude notion" originated in the inmost recesses of the Madrid palace? Is he not aware that Señor Muñoz, who, whatever may be his position, is at least a gentleman, and has given repeated proofs of his anxiety for the welfare of both queens, actually sent a messenger to Don Carlos with proposals for a family alliance, and that that Prince, though then an exile in Portugal and wandering almost alone on the frontier, rejected those proposals with disdain? Is it to be imagined that Señor Muñoz would have

made this offer without ample authority? I admit however that, be the merits of the scheme what they may, the Northern Powers were neither the authors nor encouragers of it.

I must now notice a point on which the conduct of our ministers, with regard to Spanish affairs, is strangely different from their domestic policy. At home they depend so completely on Roman Catholic support, that they profess their willingness to strike at their own church out of deference to their confederates. Indeed the position in which they stand with regard to those religionists is one rather of servitude than of alliance. It would therefore evince a singular union of impudence and hypocrisy, if any advocate of theirs should attempt to raise a cry of "No Popery" on the Spanish question. Yet so it is. "*Cælum non animum mutant qui trans mare currunt*," might have been very true of ancient Romans; but it is quite inapplicable to the British votaries of modern Rome. A voyage to the Peninsula restores our Protestant renegades to all the healthy fervour of their original faith. In Ireland they subscribe to the Rent, but they are zealous Protestants in Spain.

Nothing can be more laughable (if indeed falsehood and malignity are not always too hateful to be laughed at) than the affected ap-

prehensions exhibited by the author of the pamphlet, lest Don Carlos, in the event of his success, should re-establish the Inquisition. This alarm is rung repeatedly by the Protestant advocate of a Popish administration. In this respect his *romance* is little better than the counterpart of Mrs. Radcliffe's "Italian;" but it would be tedious to examine his scattered passages, when at p. 120 they are all combined in one. We may here perceive the delicate print of a lady's foot. I cannot help suspecting that the raw material of the following passage has been supplied from the well-furnished store of Señora Albornoz, of Bow Street notoriety, and that it has been worked up and "done into English" by the noble Secretary for the Home Department. Let us listen to the Lady of the Black Chamber, speaking by the mouth of her English Interpreter.

"That the Inquisition in all its horrors would be re-established in Spain upon Don Carlos ascending the throne, is no longer a matter of doubt with those who are acquainted with the principles and the objects of the persons by whom that Prince is surrounded. It is notorious that when a short time since, and at a moment of his greatest necessity, Don Carlos was offered the assistance of Austria (which would have been followed by that of other powers) but upon the condition of his

promising an amnesty, and not to re-establish the Inquisition, *he refused* assistance coupled with such conditions. Perhaps he did so unwillingly, for he is not a free agent," &c. &c. Again, "The Inquisition would be established in every village—its loathsome dungeons would be crowded with victims—new tortures would be invented for the friends of the Queen; their property and those of their remotest connexions would be confiscated; and the daily labours of the hangman, in every corner of the country, would attest the numbers of those who had declared against a system, built upon desolation and cemented by blood."

But I was wrong in calling this a romance; it is, alas! too true a tale. If these horrors constitute the re-establishment of the Inquisition, the Inquisition is established already. It reigns paramount in the first cities of Spain, and shoulders the "innocent Isabel" on her throne. But if the Inquisition has been re-established, it has not been by Charles V. It is not within the circle of his power that the property of the absent is seized, that their remotest connexions are persecuted, that every general is a provost martial, every soldier an executioner, that the authorities are at the beck of mobs, that prisons are filled by suspicion and emptied by massacre. Those blessings are peculiar to the "prudent and vigor-

ous government" which has been praised from the British throne, and armed from British arsenals.

It would be superfluous, on the present occasion, to enter at large into the history of the Inquisition. This tribunal was established at Thoulouse, in 1229, and was soon after introduced into Aragon, while the civil liberties of that country were yet in full vigour. It was not till 1481 that it was established at Seville, when, as one of the best modern historians of Spain affirms, "it was introduced as a means to check the errors which had crept into the national faith through frequent intercourse with Mahometans and Jews."* Under the same pretext it was extended to Castile by Ferdinand and Isabel, who however never attempted to force it on the Basques or Navarrese, as neither Jews nor Mahometans had ever been established in those two privileged sections of the Monarchy. After running a career which is known to all the world, it dwindled, long before its final abolition, to a mere political engine. The author however affects to tremble lest it should soon re-appear, "in all its horrors," when Don Carlos, I presume, (who at p. 120 is "not a free agent," at p. 88 is distin-

* Florez, *Memorias de las Reynas Catolicas* (Reyna Doña Isabel) p. 799.

guished by "general nullity," and at p. 58 is allowed to have "kindly feelings and some amiable qualities") is to rule in the Escorial, the Philip the 2nd of the 19th century.

The author of the pamphlet should surely produce something better than his own most suspicious authority, when he ventures to palm this foolish fable on Protestant credulity. He appeals to those "who are acquainted with the principles and objects of the persons by whom Don Carlos is surrounded." I have myself the honour of being acquainted with many of those eminent persons, and with the utmost deference to the superior knowledge displayed in the pamphlet, I must say, that so far from its being with me "no longer a matter of doubt that Don Carlos intends to re-establish the Inquisition," the very reverse is a matter of certainty.

In England, in France and in Spain, I have conversed with numerous Carlists, of both sexes, and with men of every rank, profession, trade and degree, and I can safely affirm that I never heard from one of them a wish to have the Inquisition restored, or an opinion expressed that such a measure was in any degree probable. In the many documents relating to the cause of Spanish Legitimacy that have passed through my hands, I never met

with the slightest allusion to the revival of that tribunal.

It is well known that, even at the height of its power, the Inquisition never succeeded in stifling the murmurs to which its encroachments gave rise. Its abuses were the subject of remonstrances from the Aragonese in the Cortes of Munzon in 1510, from the Catalonians in 1512, from the Castilians in the Cortes of Valladolid in 1518, from the Aragonese again in 1528 and 1564, and in the course of the same and the succeeding century various complaints were severally made by Bishops, Chapters, Corporations and Tribunals. The Inquisition was, in fact always considered to be opposed to the national institutions, and as it is unquestionably the wish of Don Carlos to establish these in their true spirit, with the addition of suitable improvements, it is not to be supposed that he intends to revive a tribunal unpopular with the clergy, at variance with the ancient laws, and in every respect ill adapted to suppress revolutions organized according to modern practice.

In conversing with the Bishop of Leon, in London, I have sometimes alluded to this subject, and I have heard that prelate declare, that as a bishop he was naturally opposed to a tribunal which encroached on the episcopal jurisdiction, and that as a statesman he was

unfriendly to it on moral and political grounds. "Blood and vengeance," he would add, "do not enter into either the moral, or political creed of the Spanish legitimists; neither is persecution agreeable to the views and feelings of him whom we have acknowledged as our lawful sovereign."

What I have said above may serve also as an answer to that portion of the tale, which relates to the interference and conditional promises of Austria. It is likely enough that Austria may have taken measures to ascertain what may be the ultimate views of Charles V.; if such enquiries have been made, the result has no doubt been satisfactory, for it is notorious that Austria is at least as favourable as she has ever been to the cause of Spanish Legitimacy, but that any offers of assistance should have been made and refused on the condition mentioned in the pamphlet, is a notion that could only have arisen from the heated imagination and consummate ignorance of British Liberalism.

Austrian statesmen are too well acquainted with Spain to have required from Charles V. professions and disavowals which would have been thought absurd and superfluous both by his enemies and his friends. Indeed if this portion of the pamphlet (not to mention the rest) were "translated and circulated through

Spain," I am sure that both Carlists and Cristinos would unite in a hearty laugh at the expence of the ingenious author. I trust it will be received with equal contempt by those whom it has been fabricated to mislead, our Protestants at home.

But the author of the pamphlet is never long without displaying his eminent talent of self-refutation. Like the besotted Lycurgus, who chopped off his own legs, mistaking them for vine boughs, he handles his facts and arguments in so awkward a manner that, instead of demolishing his adversaries, he leaves himself without a leg to stand upon. To prove for instance the fanaticism of Don Carlos, he follows up the tale of the Inquisition, by telling us at p. 121, that "when Gomez passed by Guadalupe with his prisoner General Flinter, the monks issued from their convents, armed with gun and knife, and entreated of Gomez to lend them Flinter for half an hour that they might drink his blood."

Well—in the next sentence of course the bigotted general of a bigotted King falls down on his knees and gives up his prisoner, after begging absolution for having kept him so long, and the paragraph closes with a cannibal carouse! No such thing! If any reader of the pamphlet should have a turn for supping on horrors, like the monks of Guadalupe, he

must go without his banquet. The candid author says nothing of the event ; but Flinter we know is safe and sound in the castle of Guevara, and Gomez therefore must have been willing and able to protect him. Had Christina a Gomez at Madrid or Barcelona ?

“ The above,” says the pamphlet, “ is no exaggerated specimen of the conduct that the church party would pursue, the day—the moment they had the power.” This must be gratifying news to every friend of humanity. We must all rejoice to know, from the positive admission of a Cristino writer, that, should the Carlists prevail, the King will be able to protect his prostrate enemies, and check the rage of his friends; that the turbulent violence of bloody passions will be repressed by the rebuke of order, that though much may be threatened, nothing will be performed, and that a few hard words are all that the vanquished will have to fear.

If however we examine the account of this monkish riot at Guadalupe, there is such evident inaccuracy about its details as to throw some doubt on the truth of the tale altogether. There was never more than one convent in the town ; the writer therefore who tells us that “ the monks issued from their *convents*” must surely have taken up his pen after dinner. It is difficult also to understand how all this

could have happened after the monasteries throughout Spain were suppressed and their inmates dispersed.

The Jeromite convent of Guadalupe, besides possessing extensive estates and valuable moveables, enjoyed since the time of John the 1st, a jurisdiction which rendered its members solely dependent on the Papal See. This and other reasons rendered the establishment peculiarly obnoxious in the eyes of the liberals. The church and monastery moreover contained some excellent paintings, which could scarcely have escaped the notice of certain amateurs, who are at present forming, or enriching their collections from the treasures of the suppressed convents. An establishment that held out such various baits to every kind of cupidity could not have been spared so long. Its inmates were probably in last November (when Gomez happened to be in that part of the country) begging their bread in different parts of Spain.

If this story should ever reach the Basque provinces, it is to be hoped that the Carlists may find leisure to apply to their prisoner for an explanation. General Flinter* is a man of

* Major Flinter went out to Venezuela in the Spanish service, and fought under General Morillo. Returning to England in 1819, he published a "History of the Revolution of Caracas," professing to give "an impartial narrative of the atrocities com-

veracity, well known in London, and I am sure would not thank the author of the pamphlet for exhibiting him as a principal character in any of his melodrames.

I should now endeavour to follow the author of the pamphlet through that portion of his misrepresentations which relates to the mutual atrocities perpetrated in this dreadful war, but before I enter on that revolting task, I shall first examine what he is pleased to call the murder of Doña Mariana Pineda. At p. 89 he has woven together truth and falsehood into the following historical Romance.

“ Donna Mariana was a young and beautiful widow, of a highly respectable family, and the mother of two children; but for her misfortune, some of her friends entertained, or were suspected of entertaining, liberal opinions. In an evil hour she commissioned two embroiderers to make a flag, having upon it the words Liberty—Law—Equality; but she subsequently forbade the execution of her commission. The police, however, learned the circumstance, and having communicated it to the government, they received instructions to entrap the indi-

mitted by the contending parties, and illustrating the real state of the contest, both in a commercial and political point of view.” What a pity our Foreign Office was unable to avail itself of his services on the present occasion.

vidual from whom the order for embroidering the flag had proceeded. The police, by threats and bribes, induced the embroiderers to take home their unfinished work to the house of Donna Mariana. The bearer of it was followed by Alguazils and Escribanos, who, on searching the house of course found in it that which they had just caused to be deposited there. For this, or rather for her supposed sympathy with liberals, was Donna Mariana Pineda condemned to death, and publicly gibbeted at Granada, to the horror of the whole town, and to the eternal disgrace of the government of Ferdinand and of that party whose mild and paternal sway the Tories of England desire to re-establish in Spain."

I have before, I think, observed, that the author of the pamphlet has one great defect as a Romance writer; he seldom thinks it worth his while to give his tales even the appearance of probability, and the present example is no exception to the general rule. His object being to persuade his readers that Mariana Pineda's only crime was her connexion with persons suspected of liberalism, he should have suppressed the flag altogether. To judge of people by the company they keep is an excellent rule when there is nothing better to depend on, but when there is the certain evidence of a person's own acts and deeds, what

more can be required? Ladies too are not often in the habit of ordering treasonable banners for mere amusement; the most frivolous of the sex would have an object in doing so; and in real life, of which a well-constructed romance should always be a faithful picture, the discovery of a treasonable flag would immediately make all the world suspect the co-existence of a treasonable conspiracy. But it is enough to have noticed the general incongruity of the romance; I will now give the real history.

Señora Pineda was a person of good connexions, and a native of Huescar in the province of Granada. After the death of her husband, a colonel in the artillery, his family removed his only son from the care of his widow. The latter, according to the correct testimony of the pamphlet, was young and beautiful; it might have been added with equal truth that she possessed attractive manners, ready wit, consummate address, and by no means such austere virtue as would induce her to frown on the admirers whom her other qualities naturally gathered round her. One of her train, a certain civilian, whose name it is unnecessary to mention, was the reputed father of the daughter with whom she was blessed soon after casting off her widow's weeds.

Unfortunately for the widow, she did not

confine herself to such comparatively harmless intrigues. She mingled business with pleasure, and as her numerous followers were nearly all liberals, she took an active part in their plots and practices against the government. These men had made arrangements for raising an insurrection at Granada, in concert with the refugees hovering on the coast. The festival of St. John (the 14th of March) was the day appointed; and their female confederate had undertaken to prepare the flag which was to be used on the occasion. She did not "commission the two embroiderers," as stated in the pamphlet, but took them into her own house, and there the flag was embroidered under her inspection, and partly with her own hand. The assertion in the pamphlet that she was entrapped by the police, after countermanding the order, is not true. She was indeed most wickedly and atrociously betrayed, but not by the government.

The preparations for the insurrection were far advanced, when a certain liberal, whose name and calling I could mention, one of the widow's most intimate friends, and himself involved in the plot, who had dined with her but a few hours before, admired the beauty of the flag, and seen and heard other evidence of her guilt, whether from jealousy or from a more sordid motive, laid an information against

her, communicated the plan of the conspiracy to Pedroza, the sub-delegate of the police, and pointed out the house in the street *del Aguila*, where all the particulars might be found. The officers in consequence entered the house at night-fall, and there seized Señora Pineda, the flag, and all her papers.

She was not carried to prison (as she might have been had the government been harshly inclined) but left in her own dwelling, under the care of two officers, and it was not till she had once escaped and been recaptured, that she was removed to the *Beaterio* of Santa Maria de Egypciaca, a species of penitentiary, similar to ours at Pentonville, and here she remained till her fate was finally determined. She was publicly tried in the Chancery of Granada, and few minor events in the modern history of Spain have excited a livelier interest, or brought more party feeling into play than the proceedings in this case.

Doña Mariana was in no want of money, the ablest advocates were secured in her behalf, many volunteered their services, and she could reckon on the sympathy of some, even among the members of the magistracy, who were attached to her by the tenderest ties. Her defence moreover was conducted with profound skill and brilliant eloquence, but nothing could withstand the strength of the evidence that

was brought against her. The unfortunate woman was in consequence condemned to death, and the sentence, as is customary in similar cases, was transmitted to Madrid for the King's approval.

This of course caused some delay, and the interval was employed by the numerous friends of the culprit in the most strenuous efforts to save her. They hastened in crowds to Madrid; the strongest interest was used with the King, and Queen Christina received the most urgent intreaties to employ her powerful influence in behalf of one of her own sex. The Queen however declined to interfere in a case where the evidence was so clear, and the sentence so just. The applications to the King were equally unavailing. So powerful however was the interest exerted in her favour, that it might possibly have succeeded at last, but for two circumstances, which certainly were not calculated to recommend her to the royal mercy. She herself resolutely refused to reveal the names of her associates, and her ill-judging friends, not satisfied with employing prayers and entreaties, had the imprudence to threaten the authorities, and defy them to execute the sentence.

Finally, after a patient hearing by the Council, the sentence was ordered to be carried into execution. It was not till the arrival of the

warrant at Granada, that Señora Pineda was removed from the penitentiary to the prison, where she was put *en capilla*. On the third day she was brought out to the *Plaza del Triunfo*, the place appointed for her execution, where, after performing her religious duties with the assistance of the curate of Las Angustias, she confessed her guilt and the justice of her sentence, and finally suffered death with heroic firmness and resignation. Her last words were *Muero justamente por no delatar à mis semejantes*, "I die justly because I refuse to denounce my fellow-beings."

That she was "publicly gibbeted" is one of the numerous misstatements of the pamphlet. She suffered strangulation by the *garrote*, the customary mode of executing criminals in Spain, and her body was immediately delivered up to her friends for interment.*

* At the solicitation of the late Queen Amelia, the use of the gallows was some years ago formally prohibited. Since then capital punishment has been inflicted by the *garrote*, or strangulation. A platform is raised, on the top of which is placed a seat for the culprit and close to a strong piece of wood, against which his back rests. Midway up this post is an iron collar, which is fastened round the culprit's neck and when pressed by a screw causes strangulation. This is the easiest and quickest death a human being can suffer. The expence of the platform and other preparations are borne by the municipality of the town where the execution takes place, and among

Since the liberals last came into power, they thought it incumbent on themselves to make a show of revenging so distinguished a martyr in their cause. They accordingly seized upon an alcalde of royalist opinions, D. Juan Perez by name, and committed him to prison, pretending that he was the person who had informed against the widow Pineda, but never attempted to bring the charge home to him. Their innocent victim was released only by death from his unmerited captivity, while the real culprit, whom it was not perhaps convenient to expose, remained unmolested.

As the fate of Señora Pineda has no relation either to "the policy of England towards Spain," or to the conduct or character of Don Carlos, I might have passed it over altogether, had I not been willing to expose to my readers the scandalous disingenousness of my opponent. They will observe that what he has the audacity to call a murder was an execution in consequence of a legal sentence, after a fair and even favourable trial; they will remember

the economical plans fashionable in Spain, it may be mentioned, that the municipality of Cadiz lately addressed a memorial to the Cortes, praying the abolition of the *garrote*, as being an expensive process, and recommending persons condemned to death by the civil tribunals to the cheaper one of being shot *a la militaire*.

that our own laws award the same penalty to the same offence.

Whatever may have been the follies and crimes of Doña Mariana Pineda, the heroism with which she perished in a great measure atoned for them; every generous mind, while admitting the justice of her sentence, must pity the woman who sacrificed herself for her unworthy confederates. But what shall we say of the wretches who profitted by her silence; who could stand round her scaffold, and see her die for a crime that was more theirs than hers? What shall we say of men who could purchase life by the death of a woman? and what too shall we say of the writer who has suppressed all this, and rather than display the baseness of Spanish liberalism has by his silence defrauded of her just praise the heroic victim whom he affects to lament?

I have at length arrived at that part of my subject which I approach with the greatest reluctance; but on which an imperious necessity will compel me to dwell at considerable length. It is my distressing task to discuss the nature of this bloody war; to describe the spirit in which it has been carried on, and to weigh in the balance of justice and impartiality the excesses of the contending parties. I know that, in the discharge of this revolting duty, I must allude to deeds disgraceful to humanity and

peculiarly abhorrent to the feelings of Englishmen; I know that many turn with natural disgust from such sanguinary details, and are ready to confound both Carlists and Cristinos in the same impatient and undistinguishing censure.

But nevertheless I venture to entreat their attention, and I must add too that it is their duty to attend. Our country, it is true, has long ceased to be the theatre of such horrors as are now desolating Spain, if indeed they were ever carried so far among us, even in the most barbarous ages; but, alas! what return have we made to a merciful Providence for such a blessed immunity? Has not that very immunity rather hardened our hearts against the miseries of others, and caused us to hear with indifference of calamities which we have never had the wretchedness to endure?

I fear, after all, that our boasted horror of blood partakes more of squeamishness than genuine humanity. If we felt as we ought to feel, we should turn with more pity perhaps than anger, even from the guiltier of the two contending parties, and reserve our disgust and indignation for a third, more guilty than either, who without the least shadow of a provocation and with no inducement but the mischievous thirst of propagandism and views of mistaken self-interest, without the excuse of anger, or

the apprehension of danger, has with cold malignity and at a safe distance continued to feed this dreadful war, and supplied the more relentless of the combatants with the means of satiating every ferocious passion. But I will dwell no longer on the guilt and ignominy of my country; from so painful a subject it is a relief to revert even to the blunders of the ministerial pamphlet.

This humane author professes to regard the atrocities in question with infinite horror, and at p. 91 arrives at such a pitch of liberality as to confess that "the Queen's side having the greater power of repression has been the most to blame of the two;" but it is difficult to conceive in whom this power of repression resided, for in the same page we are told that government was obliged to wink at the atrocities of the generals, and at p. 84 the generals are said to have been themselves equally unable to control the fury of the troops. Weakness in short, according to this description, is the universal characteristic of the "*vigorous*" government which we have been so eager to uphold.

Before, however, I speak of the severities by which the Cristinos have endeavoured to reduce their adversaries to submission, it may not perhaps be out of place to examine the grounds on which, in all governments, the

ruling authorities claim the right of punishing insurgents, and to point out the circumstances by which that right may be modified, or even altogether subverted. As the principal object for which governments have been instituted is to protect life and property by upholding the weak against the strong, and the peaceful against the turbulent, it is reasonable that offences of violence, even when merely directed against individuals, should be visited with peculiar severity, but the utmost stretch of punishment is justly reserved for those ambitious and ungovernable adventurers, who, by striking at the ruling power, inflict an injury on every citizen at once.

Every government has therefore, with ample cause, considered treason the worst of all legal offences, and punished it with death. We must not however carry law beyond its appointed limits. Justice indeed is of perpetual and universal obligation, but the proper region of law is the circle of its own courts, and its peculiar maxims should not be extended beyond them. In all civil commotions, the bold enthusiasts who strike the first blows, necessarily fight with the rope about their necks; if they fail, they have the less chance of escape; if they succeed, they enjoy among their partizans the glory of having led the way to victory. But when a country is convulsed

from one end to the other ; when order, which it is the business of law to maintain is driven from society by the violence of contending factions, and a civil war is once established, it is monstrous to talk of enforcing laws of treason.

There are no armies of traitors. How indeed can a man incur the guilt of disturbing the general tranquillity, when tranquillity is already at an end ; when order is completely overthrown and confusion reigns in its stead ? In such a state of things, the only law which justice can take for her handmaid is the law of arms. An attempt to act on any other principle must lead to the most horrible results. Civil war is a dreadful thing in its mildest form, but what would it become, if the strict law of treason were made the rule of camps, and generals should take upon themselves the duties of judges ? If we wish to see the result, we have only to turn to Spain.

Indeed it may be doubted whether a government has any right at all to enforce the penalties of treason, when that government has not the power of affording protection. It is certain at least that no wise ruler would act up to the letter of the law, when commotions have become so formidable that they threaten to overbear all opposition. What would have been the state of North America, in the last

century; what that of England in the century before, if the generals of Charles the 1st and those of George the 3rd had taken upon themselves to execute as traitors every soldier of the Parliament, or of the Congress, that fell into their hands? But the apostles of spurious liberty are the same in all ages, when they are once mounted, they always ride on the curb. The tragedy of Colchester might have served as a precedent for Rodil or Mina.

The enlightened author of the pamphlet is not behind his brethren in stretching the powers of government to the utmost, as long as liberalism stands at the helm. Like them, when it suits his purpose, he readily invokes the right of the strongest, revives the doctrines of passive obedience and non-resistance, and assumes the highest tone of legitimate sovereignty. The Holy Alliance is, next to the Inquisition, the grand object of his invective. The Northern Despots, as he styles them, appear in his pages as three monstrous and outrageous giants, whom the Quixotes of the movement may cut to pieces if they can, but woe to the traitor who dares to lift a finger against the legitimate majesty of Louis Philippe, or the "innocent Isabel."

"Who would not have laughed," says he, "if an advocate of the Duchess de Berri had insisted upon claiming equal rights for that

Princess in the little war she waged against the King of the French?" And why should he not claim them? Had she not as good a right to rise against Louis Philippe, as Louis Philippe had to rise against Charles the 10th, or Philippe Egalité against Louis the 16th? Why should recent violence be more sacred than ancient prescription? Hearken again to this Jacobin apostle of Legitimacy. "The Carlists are rebels in arms against their lawful sovereign; humanity and prudence forbid their being treated with all the severity applicable to their condition; but law and justice would permit it." And this from the man who at p. p. 15 and 16 describes the whole population of the Basque provinces as actively engaged in the cause, so that in consequence all the adults of both sexes would come under his law of treason, and he would have to thin the mountain forests to fabricate his gibbets, unless indeed the Carlists were to unite their necks into one, for the special convenience of this liberal Caligula.

Why! compared with our energetic countryman, such of the Cristino generals as were satisfied with destroying the fighting men, may pass for patterns of amiability. To them possibly and their measures he may allude at p. 120, where he talks of "moderate men and a moderate system capable of regulating the progress

of improvement in the Peninsula." But I have forgotten this merciful gentleman's "humanity and prudence." The former is sadly out of place in such bloody company. It is his "prudence" that puts a bridle into the mouths of his "law and justice;" his prudence as he calls it, but in reality a lurking dread lest, if he should give them their full range, the Carlists should let slip a little "law and justice" of their own.

But it is difficult for the best men to cultivate all virtues at once. The Queen's ministers and generals dedicated themselves with such inordinate zeal to the exclusive worship of "law and justice;" they were so occupied with offering up hecatombs at the shrines of those sanguinary deities, that they had no time to attend even to the safe counsel of "prudence," and it was quite out of the question to lend an ear to the whispers of "humanity." And yet these men must have been aware, from the very first, that they were not called upon to suppress trifling or ordinary disturbances. From the moment of the death of Ferdinand, insurrections broke out in every part of Spain; they comprised individuals of every rank and condition, the whole circle of the horizon was black with the coming storm, and the most inexperienced politician might have seen that a civil war was at hand. A mere selfish regard

for their own safety should have prompted them to pause, before they set to work an engine which might probably soon recoil upon themselves. They preferred however the harshest system, and their foolish and atrocious policy forthwith produced its natural consequences. Hunted down like wild beasts, or if they escaped themselves, more than murdered by the deaths of their dearest connexions, the Carlists repaid blood for blood, and the civil war was at once reduced to a succession of massacres.

When therefore my countrymen are told of the excesses of the Carlists, before they condemn them, let them consider the intolerable provocations they have received. The writer of the pamphlet indeed, in a note at p. 89, seems to consider a previous provocation to be no excuse whatever for a violent deed, but I suspect he will find few people to agree with him. It is a pity that he cannot prove the converse of the proposition, and convince the world that the absence of all provocation does not aggravate the moral guilt of an aggressor. Could he but succeed in this, he would deserve the warmest gratitude of Lord Palmerston.

I am not going to claim for the Carlists that divine and superhuman virtue that pursues its majestic and undeviating course, undisturbed

by the storms of earthly passions. I admit that they are men ; that they are grateful for benefits and resentful of injuries ; that oppression provokes them to resistance, and the smart of insufferable outrages maddens them to revenge. The reader, I trust, will be satisfied if I show that they did their utmost to humanize the war, and only resorted to acts of retaliation when compelled by imperious necessity.

I shall first advert to the murder of Santos Ladron, as this bloody deed was one of the earliest military executions, and it is not only excused, but absolutely justified by the author of the pamphlet. According to him, Santos Ladron was an extraordinary person indeed, for he was not merely "a bold man of bad character," but "desirous of revolution for revolution's sake and for his own interest;" in other words, he was interested and disinterested at the same time on the same subject. Not satisfied with thus aspersing a character which was utterly blameless, he wholly at p. 82 misstates the circumstances of that officer's capture, and then justifies his execution as being that of "a rebel leader taken in arms against his sovereign." I have already disposed of this sanguinary writer's "law and justice," on that point therefore I shall say nothing more, but I must ask him, whether he is really so ignorant as not to know that Santos Ladron was entrap-

ped by Lorenzo at a conference solicited by the latter, and acceded to by the former, in the hope that it might prevent the effusion of blood? If therefore Santos Ladron had been ever so much a rebel, faith should have at least been kept with him, and he should have been allowed to depart unharmed. His perfidious entrapper was immediately promoted, and thus the government adopted all the guilt of his treachery.

But the author of the pamphlet seems himself to have little confidence in his justification of Lorenzo; he otherwise would have thought it quite superfluous to attempt to excuse him. "The people," we are told at p. 82, "clamoured loudly for the blood of Santos Ladron and the commanding officers of the garrison informed the Captain General that if he assumed the right, which he did not possess, of delaying the execution, they would not answer for the subordination of their troops and the tranquillity of the town."

So, after all, we find by the very confession of this advocate of "law and justice," that it was not for treason, but to satisfy the vengeance of a Cristino mob that Santos Ladron was put to death. The "vigorous" government appears as vigorous as usual, ever ready to yield, like other reforming governments, to "the pressure from without." Yet this go-

vernment, so yielding to mobs, is so inexorable to rebels, as not to leave its Captains General the power of even delaying an execution.

All the tale about the clamours of the people and the insubordination of the soldiery, however in harmony with the conduct of the Crishtinos in other cases, is in the present, I suspect, a pure fiction, invented for the purpose of palliating a deed which the writer, who would willingly defend it, feels to be incapable of defence. So far were the people of Pamplona from thirsting for the blood of Santos Ladron, that in the night after his execution no less than 500 persons, mostly youths of the best families, left the place and joined the Carlists at Roncesvalles, and so far was Lorenzo from desiring to spare him, that not satisfied with his death, he was base enough to have him shot in the back, as if his victim could be dishonoured by the infamy of his executioner.

After perusing the account of this cruel and treacherous murder, the reader will naturally ask what horrible revenge was taken for it by the "bloody fanatics by whom Don Carlos is supported." I must refer him for an answer to vol. ii. p. 88 of my work on the Revolutions of Spain. "The next day Colonel Benito Eraso, who had raised the valley of Roncesvalles, issued a proclamation to the inhabitants and an address to the soldiers. In the former,

after begging those whom he addressed not to be discouraged by the misfortune of Santos Ladron, he added, "No vengeance! oblivion of the past, and a religious observance of the decree of amnesty!" Such was the divine spirit of forgiveness in which the Carlists commenced the war. How have they been requited by the supporters of "law and justice?"

When the French Convention refused quarter to English and Hanoverians, the Duke of York, like Eraso, exhorted his army to abstain from retaliation, and his noble order had such an effect on the troops of France, that they never put into execution the ferocious decree of their government. In the height of their revolutionary frenzy they were softened and humanized by the conduct of a generous enemy, but Eraso had to deal with more pitiless and unsparing savages than the soldiers of the Convention.

It may however be urged that Eraso was only an individual, and that his glorious forbearance must have met with universal reprobation from "the bloody fanatics" with whom he was associated. On the contrary, he was so eminent a member of his party and such confidence was placed in his talents and loyalty, that when Charles V. was pursued by Rodil, Eraso was selected to command the personal escort of that monarch, an office scarcely second in dignity and importance to that of

Commander in Chief, and on the death of the great Carlist general, he was appointed to replace him, though then himself sinking under a mortal disease. We thus see that the officer who made an honourable, though fruitless endeavour to humanize the war, enjoyed on all subsequent occasions the highest credit and confidence with the King and his followers, and hence it is but reasonable to conclude that his particular sentiments were those of his party in general. Had this brave and amiable man fallen into the hands of an enemy, more cruel than the most unsparing disease, there would have been found, no doubt, some ruffian to shoot him in the back, and some wretched nameless underling to maintain that "law and justice permitted it."

It would have been the greatest of all wonders, if so eminent and illustrious a character as Zumalacarregui had escaped the calumnies of such a person as the writer of the pamphlet; but as most of these calumnies have been already publicly contradicted, and as the silence of the calumniator has proved the contradiction to be correct, it is unnecessary that I should do the work over again. The reader may safely set down to the account of fiction all that he will find in the pamphlet about the general ferocity of Zumalacarregui, his "despotic severity towards his soldiers," his "wan-

ton cruelty towards the people," and "his profound and undisguised contempt for his Prince." They may do as much with the females, "who were tarred, feathered and tied on asses;" with "the interesting young woman 22 years old," who was shot because she was "suspected of having given information to some Cristinos," and with the child of 14 (the son I presume of the precocious damsel) who suffered with her for some reason or other, which the veracious historiographer to the Foreign Office has not deigned to record. All these children of imagination, born and bred in the pages of the pamphlet, have been dispatched already; why then should I play the Cristino and mutilate the slain?

I must however ask the consistent author of the pamphlet what he means by telling us, at p. 86, that Zumalacarregui "deserted from the Queen's ranks," and at p. 115 that he was "turned out." Will he condescend to state his authority for asserting that "Zumalacarregui, Villa Real, Torres, Gomez and the like" joined the Carlists because they had "lost their pay" and had "to seek their fortune elsewhere?" Certainly this is an excellent *liberal* reason for adopting any opinions, or going over to any party. But as to the officers in question, all the world knows that they did not take up Carlism, because they were "turned out,"

but were "turned out" on account of their well-known Carlism. Why! it might as well be said that Lord Palmerston embraced liberalism because he was "turned out" of the representation of his University, when we all know that he was "turned out" for his newly-adopted liberalism. I do not however mean to insinuate that the noble Lord (though not long before he had been "turned out" by the Duke of Wellington) was one of those "who, having lost their pay, went to seek their fortune elsewhere." It is enough for me to expose his lamentable errors and unjustifiable acts without speculating on his motives.

"In the month of March, 1835," says the pamphlet, "a party of 116 Cristinos surrendered to 900 insurgents upon promise of quarter. They were however stripped entirely naked, and after having been marched eight leagues in that condition, the whole of them were butchered." This anonymous author relates his anecdotes in so vague a manner, that it is difficult to identify them. Why could not he tell us the name of the place where this execution was committed, or that of the commanding officer, who, as he was at the head of 900 men, must have been a person of some consideration? What could be the reason that the prisoners were marched eight leagues, exposed to the chance of being re-captured, when

the "bloody fanatics" might have made an end of them at once? I would recommend my opponent, the next time he may desire to make a misrepresentation pass current for truth, to conceal particulars, and to deal in generals throughout. There is nothing like a date for detecting a fiction, or establishing a fact.

No event like that which he relates happened in March, 1835; but March, 1834, was distinguished by an occurrence, so strongly resembling the one mentioned in the text, that they are evidently the same. On that occasion the Carlists did put to death 120 prisoners, whom they had previously marched to some distance, and the commanding officer was no less a personage than Zumalacarregui himself. He had broken into Vitoria by surprise, but, after gaining at first an advantage, was finally obliged to retire, carrying off about 120 prisoners, and leaving 30 of his own men in the enemy's hands. The thirty Carlists were shot after his retreat by the Cristinos, and as soon as Zumalacarregui heard of it, he retaliated on the prisoners whom he had intended to spare.

Why the previous massacre was suppressed, and the formal capitulation invented, I leave for the reader to surmise. "The war from that time" continues the pamphlet, "bore a character of ferocious exasperation which it had not till then assumed." The object of this

assertion is evidently to throw odium on the Carlists, but it is directly contrary to the truth. Long before the affair of Vitoria, and indeed from the beginning of the disturbances, our good allies employed their keepsakes from Woolwich not merely in shooting every Carlist taken in arms, but in murdering unarmed peasants and butchering the wretched inmates of hospitals, so I must leave it for my ingenious opponent to explain by what refinements of cruelty such a war could assume any more decided character of ferocity.

At p. 84 of the pamphlet, we meet with an anecdote which would require notice on its own account, even if it did not possess this peculiarity, that an authority is produced to support it. Captain Henningsen, to whom the writer of the pamphlet refers, says that after Zumalacarregui's victory of the 28th October, 1834, a Carlist captain with 30 men was conducting across the mountains 80 or 100 prisoners, who had been collected at the close of the pursuit. Two had already escaped, when the captain reported to the commander in chief that he could not answer for the safety of his prisoners, and received in consequence an order to bind them. But cords were not to be found in the deserted villages, upon which an order was given, in the first instance to shoot the prisoners, but afterwards to bayonet them,

lest Ituralde's division should be alarmed by the firing. The captain upon this sent for a sergeant and 15 lancers, and forthwith executed his orders.

Such is the substance of Captain Henningsen's account. The author of the pamphlet tells the same tale, except that he suppresses all mention of the prisoners who were spared, and transforms Ituralde's division into a body of Cristinos. I need not express my own abhorrence of such an action, but it is so completely in accordance with Cristino maxims of "law and justice," that I wonder it has met with reprobation from the author of the pamphlet. I must however confess my suspicion that Captain Henningsen, who, though present in the two actions of the 27th and 28th, only heard of the massacre from others, may have been misinformed, or have misunderstood his informant. This might easily have happened to a young foreigner just arrived in the country.

It was not till after my return from the seat of war that I saw Captain Henningsen's work, and then for the first time became acquainted with the anecdote in question. It not merely had never been related to me on the spot, but it had not, as far as I am aware, ever formed the subject of notice and expostulation from the opposite party. As soon as I read of it, I made enquiries of various well-informed

Spaniards in London, but could find it confirmed by none. One in particular, who had borne a command in the two actions, and was well acquainted with the plans and disposition of Zumalacarregui, assured me that the order to give quarter was neither violated, nor recalled, and that the last objects of any severity would have been privates, who had for the most part expressed a readiness to enter the Carlist service, and afterwards did so. Zumalacarregui at the time was not pressed by the enemy, had nothing to interrupt his march, and was without any inducement whatever to perpetrate a deed which would have been most offensive to the King. Not to insist on minor objections, 47 armed men (and including the lancers this was their number) were an ample escort for 80 or 100 unarmed prisoners.

My enquiries however, though they gave me no confirmation of the anecdote in question, brought me to the knowledge of another, of which I was not aware before. O'Doyle's division, a short time previous to his defeat, surprised, at the Iron Works of Legastia, on the opposite side of Vitoria, 60 unarmed Carlists, of whom 20 were sick or wounded, under the care of their female relations. The Cristinos, by order, as the Carlists allege, of O'Doyle himself, fell upon these unfortunate

men with their bayonets, and massacred the whole of them, amidst the struggles and shrieks and mingled prayers and curses of the miserable women. It was the knowledge of this savage butchery that caused Zumalacarregui to direct no quarter to be given in the ensuing action, but when the rout began, and he saw what a dreadful carnage would have attended the execution of his order, he commanded his soldiers to cease the slaughter, and in consequence many hundreds of prisoners were made. Of these 600 entered the service of the King, who dismissed the rest on their parole. Such was the conduct of the "bloody fanatics" even before the Eliot treaty.

It has been suggested to me by a most intelligent Carlist officer, to whom I interpreted the narrative in Captain Henningsen's work, that the massacre of Legastia may, by some mistake or confusion, have given rise to the report of the other. This is not impossible, but whatever may be the fact, I have thought it right to state my own doubts on the matter and the disbelief of others. It may possibly draw Captain Henningsen's attention to the subject, and induce him to make additional enquiries, or to state his reasons for being satisfied with his present information. Nothing, I trust, would be more gratifying to his feelings, if he should in the end find himself mis-

taken, and should be relieved from the pain of seeing his authority turned against the character of his old commander by a writer whose sentiments are the reverse of his own.

I might relate many instances of Zumalacarrégui's humanity, if the limits of a hasty pamphlet permitted it; but I shall confine myself to two, which occurred while Mina commanded in the Northern provinces, and the exasperation of the Carlists was at its height. Having attacked and carried Los Arcos, he found in the hospital there a number of wounded Cristino officers. He immediately ordered every attention to be paid them, and the next day, having obtained the King's permission, had them removed to the Cristino garrison of Logroño, without exacting any condition whatever, an act of generosity rarely to be met with even in the most civilized wars.

Soon afterwards he attacked Echarri-Aranaz, and compelled the garrison to surrender at discretion. On this occasion also the hero went far beyond the practice of the most humane commanders. Here were men taken with arms in their hands, after a desperate resistance, yet, like the inmates of the hospital at Los Arcos, they found to their astonishment that they were not even prisoners of war. Not so much as their parole was required; they were in every respect as free as their con-

querors. The privates to a man joyfully enlisted under the banner of their benefactor; the officers were dispatched under an escort to Pamplona.

The reader may possibly wish to learn how Mina was employing himself, while his adversary was engaged in these two works of benevolence and forgiveness. During the siege of Los Arcos he was at Lecaroz, a village which then contained five hundred inhabitants. Suspecting that Zumalacarregui had buried the cannon, which in reality were then battering Los Arcos, he commanded the villagers to point out the place of concealment. They of course could not tell him what they did not know, upon which he had the village burnt to the ground, every fifth male shot, and the rest hurried off to the dungeons of Pamplona. The commissioners of the four Allied Powers were then at his head-quarters, but on this occasion, I believe, every one of those gentlemen rigidly observed the rule of non-interference.

During the siege of Echarri-Aranaz, or at least about that time the Cristino general discovered some wounded Carlists in the care of farmers within the dependencies of Pamplona. All these unfortunate men, with every male person who had harboured them, or attended on them, or even expressed a wish for their recovery, were shot without mercy by his

orders. Such was Mina ! such was the pitiless and unsparing monster, who shortly after the perpetration of these atrocities was removed to the important command of Catalonia, and with whom British captains were compelled by a British government to place themselves in friendly co-operation !

I have related these four occurrences together, as they all happened at the same time, and before either party was restrained by the Eliot convention. Let my countrymen "look here, upon this picture, and on this." They will at least be able to take at its true value the following veracious paragraph which they will find at p. 84 of the pamphlet.

"To control the blind fury of the troops was equally out of the power of the respective commanders, for he who had first cried, 'Hold, enough,' would probably have been branded as a traitor, and have fallen a victim to his own humanity. The commanders *on both sides* were *equally to blame*, and both sides had the same sad excuse ; but the Carlists had, for the reasons above stated," (the hostility of the rural population) "more frequent opportunities of wreaking their vengeance upon their enemies than the Cristinos, and those opportunities *were never allowed to escape.*" After what I have just related, I may safely leave this specimen of accuracy to the judgment of the reader.

I shall close what relates to Zumalacarregui by inserting below a proclamation, which has already appeared in my work on the Revolutions of Spain, but which cannot be too frequently perused by all who wish to judge correctly between the contending parties in that country.* In it he shows that the Queen's

* "At the moment the brave Navarrese raised the standard of glorious insurrection in defence of their legitimate sovereign, the rebel D. Manuel Lorenzo, proud and arrogant, stepped forward to repress it, and immediately evinced his barbarity by sacrificing the immortal D. Santos de Ladron in the ditch of Pamplona. For his atrocious conduct the self-styled queen-governess, from the rank of brevet-colonel raised him to a viceroyalty. The cruel Quesada and the incendiary Rodil were humane compared with the patricidal Lorenzo. The mere perusal of the proclamation which he issued on the 14th ultimo shows his bloody propensities, and his wish to exterminate the innocent inhabitants by his ferocious despotism.

"How different has been the conduct which the defenders of Legitimacy have observed towards their enemies. Notwithstanding they were in want of fortified towns, and whilst incessantly pursued by a force, four times as large as their own, they respected the unfortunate prisoner, they afforded surgical aid to the wounded, and took every care of them. Instead of corresponding with these acts of humanity, our obdurate enemies disregarded the laws of war, and their boasted philanthropy degenerated into the most detestable brutality; for, like tigers thirsting after human blood, not only did they shoot persons fighting under my orders, but with their daggers and encrimsoned bayonets put to death the sick and wounded, although respected by all civilized nations.

"Their inhuman proceedings at length compelled me to resort

generals were so far from being forced to yield

to the right of reprisals; and, in order to check the effusion of blood, I ordained that, for every royalist murdered by them, five of their prisoners should be shot. This rigorous measure did not prevent them from shooting the royalists who fell into their hands, and who, in cold blood, were immolated to their ferocious barbarity. Notwithstanding this, as the number of our prisoners greatly exceeded theirs, I could not resist the cries of so many unfortunate beings, and I either restored them to liberty, in order that they might return to their homes, or I placed arms in their willing hands, which they urgently solicited in order to fight against their own companions.

“ This prudent conduct has been disregarded by the rebels, who not only continue their atrocities, but also recur to all the revolutionary means of devastating the disturbed provinces. The rebel Quesada dictated cruel proclamations; the perfidious Rodil, besides adhering to them, published others breathing blood and desolation; and, lastly, the traitor Lorenzo has just confirmed them by his disgraceful circulars, *even complaining that they have not been carried into due execution.*

“ Wherefore, setting aside all delicacies and considerations which I have hitherto observed towards the enemy, and availing myself of the law of reprisals, I have decreed as follows :

“ Art. 1. All prisoners taken from the enemy, of whatsoever rank or class they may be, shall be shot as traitors to their legitimate sovereign.

“ Art. 2. In all the corps and battalions under my command the motto *Victory or Death* shall be adopted, and used *until the enemy recal their order of not giving quarter.*

“ Art. 3. Having had frequent proofs that in the enemy's ranks there are many devoted to the just cause, but who from distance or the vigilance of their oppressors are unable to present themselves; by virtue of the powers vested in me by our sovereign, and in accordance with his beneficent intentions, I

to the "blind fury of the troops," that they reproached their relenting subordinates with the non-execution of their savage orders; he contrasts his own forbearance with the conduct of his opponents, refers to former unavailing efforts to humanize the war, complains that he was compelled to retaliate, and finally sets a term to the severities which he was obliged to ordain. I particularly call the reader's attention to the second article. It proves, beyond dispute, that the Queen's government might at any time have put an end to the system of mutual slaughter, and that, as far as the Carlists were concerned, a convention, like that which takes its name from Lord Eliot, might have been concluded without foreign intervention some months before.

It was easier however for Zumalacarregui to publish a rigorous decree than to carry it into rigorous execution. We can desire no better proof of this (not to mention others) than his conduct at Los Arcos and Echarri-Aranaz. The Cristinos did not recal their order, and his decree was therefore still in force, when he dismissed the wounded at one place, and the

make known, that I will not only receive those who may come over, but I will distinguish and reward them according to their respective merits, &c."

Lecumberri, November 1, 1834.

garrison at the other. All this time the Cris-
tinos were carrying on the war with unrelent-
ing ferocity, and requiting his forbearance by
the most abominable excesses. I have already
mentioned two instances where hospitals were
converted into slaughter houses, several more
are recorded in my work on the Revolutions
of Spain, and such abominable outrages were,
in fact, of common occurrence. I doubt whe-
ther, during the whole war, a single Carlist
commander has been guilty of a similar crime.

Up to this time we had gone on furnishing
unlimited supplies of every kind of warlike
stores to armies which, as we well knew, gave
no quarter in the field, murdered every one
whom they surprised, massacred the sick and
wounded, and in a word treated a whole coun-
try as the most ferocious army would serve a
town that it had stormed. We had been ac-
cessories before the fact to a mighty felony,
of which thousands had been the victims. We
had incurred all the guilt of the crimes which,
knowingly and willingly, we had enabled others
to commit.

This atrocious policy is justified in the minis-
terial pamphlet. "Such cruelties," says the
author at p. 17, "as are perpetrating now in
Spain are abhorrent to British natures, but are
we acquainted with them now for the first
time?" So, it seems, the friends of "law and

justice" massacre by precedent. Why, by this rule, Cain would be the only murderer without a justification. Then (after telling us that in the war of invasion terrible atrocities were committed by the guerrillas and peasantry on the French troops, who on their part, for any thing that appears in the pamphlet to the contrary, poor harmless patient sufferers that they were, never touched a hair of a Spaniard) he asks whether we refused to co-operate with our allies on account of such cruelties?

Most assuredly we did not, and for an excellent reason. Long before the rising of the Peninsula, we were engaged in a desperate war of our own with Napoleon Buonaparte, and had a right to attack our mortal enemy wherever we found an advantageous battle-field. The war, on the part of Spain, was a convulsive struggle against an outrageous attack on the national independence—an attack so wicked and unprincipled, that no Englishman of any party, however eaten up by liberalism, however bigotted in his admiration of Napoleon Buonaparte on other points, has ever ventured to defend him on this. Were we to leave a gallant nation to its fate, and permit our bitter enemy to appropriate its resources and turn them against ourselves, because forsooth some unauthorized bands of irregulars, or peasants burnt out of house and home perhaps by these

very Frenchmen, turned upon their oppressors, and were hurried into acts of outrageous vengeance? These were but insulated unauthorized acts of lawless revenge; not such were those of which the Carlists complain, and in which our government has had the cruelty to assist. These latter were crimes committed by men in high command, in the confidence of the ruling powers, and armed with the public authority. The acts of such men are the acts of the government which they serve. Lord Carnarvon merely expressed the sentiment which every one but an utter savage must feel, when he called upon our government to withdraw from such a murderous alliance.

But, according to the pamphlet, the Queen's government was made up of mercy and mildness. With these amiable rulers, no doubt,

“All was charity and tender heart.”

“The government,” we learn at p. 91, “is not so culpable as it may at first sight appear. Captain-Generals and military commanders exercised their despotic will, and justified their measures by the plea of expediency.” (So by the bye does the author of the pamphlet.) “These were constantly disapproved by the government. The government had no other part left but to be blind to wickedness they could not chastise.” None, says the proverb, are so blind as those who won't see. But will

this writer pretend that this merciful government, of whose *vigour* he has drawn so edifying a picture, was reduced to such an excess of weakness, that it could not so much as control its own gazette, that not merely its soldiers but its very printers were in a state of mutiny and insubordination?

In the Madrid Gazette was inserted a proclamation of Quesada's, dated 3rd Nov. 1833, in which he ordered all persons joining or who might have joined the Carlists, to be shot, and their property confiscated. On the following 18th of December, the same general published a proclamation *in the Queen's name*, which proclamation also was inserted in the Madrid Gazette, stating that "her Majesty, wishing to manifest *her maternal generosity* in favour of those misguided persons remaining in rebellion, postpones for twenty days the pardon granted;" after which time her commanders are "to *execute* all persons, *be they who they may*, not availing themselves of this pardon, giving them no more time than is required to enable them to die like Christians, and not exceeding four hours."

This is, I presume, the document alluded to at p. 82 of the pamphlet, as an evidence of the Queen's *clemency*, and the author, it will be observed, acknowledges it (and indeed how could he do otherwise) as the act of the go-

vernment. "So far from taking other measures of severity, the government of the Queen proclaimed an amnesty to all who would lay down their arms and apply for pardon within a certain time. In December, 1833, this time was extended to twenty days." Here he prudently stops. Such equivocal amnesties, that

given with solemn hand
As blessings, drew a scorpion's sting behind,

amnesties that were rather denunciations of vengeance and blood, were not likely to have much effect upon the Carlists. What confidence could be inspired by a government reeking with the blood of Santos Ladron and his 32 companions, all shot at Pamplona—all except their leader buried in profound silence by the candid author of the pamphlet? * Or why

* Let it not be forgotten that the murder of Santos Ladron took place on the 15th Oct. 1833, a fortnight after the death of Ferdinand VII. The second victim was Canon Echevarria, a man highly respected. He was taken at Medina del Pomar by General Wall, and in the middle of Nov. shot at Villarcayo. The third individual of distinction sacrificed by the Queen's representatives was D. Hilarion Rozas, commanding the royalist volunteers of Burgos, shot behind the cavalry barracks at the end of Nov. The archbishop interceded for him and received a promise that his life should be spared. The next moment orders were given for his execution. This case excited universal indignation among the Carlists and, preceded as it had

should men stoop to accept a pardon who were conscious of no crime—who considered themselves better entitled to grant amnesties than to receive them? Such amnesties were repeatedly published in the name of Charles V. so that the Queen's government can claim no peculiar character for humanity on that score.

And then on what different grounds did the generals of the respective parties publish their sanguinary decrees! The Cristinos did not publish theirs as measures of retaliation. They denounced and executed vengeance on their opponents, not because the latter made war like savages, but because they made war at all. Their measures of severity were to continue in force, till what they called the rebellion was extinguished in blood. The Carlists, on the other hand, after repeated attempts to humanize the war, after suffering a long course

been by others equally atrocious, showed them what they had to expect if once the yoke was fastened round their necks. Pamplona, Burgos and Valladolid were particularly distinguished by the butchery of Carlists. In the latter place, during the months of November and December, 22 clergymen were put to death and every where the prisons were crowded with victims. At Alcalà de Henares, even so early as Oct. the Administrator of the Post Office and two *gardes de corps* were shot. Other proofs were given of the determination of the government to exterminate the royalist leaders and imprison their subalterns, as the best means to consolidate the new order of things.

of butcheries, issued on their part similar decrees, but in what manner?—as measures of retaliation, to continue in force till their enemies had withdrawn the bloody proclamations which had provoked their own.

These are the grounds on which Zumalacarre-gui, Zavala, and the other Carlist chiefs exercised occasional severities. But where are the Cristino acts of mercy? Can the author of the pamphlet produce a single proclamation on that side where forbearance is offered in return for forbearance; a single act like those of Zumalacarre-gui at Los Arcos and Echarri-Aranaz? This he must do before he can justify himself for asserting that “the commanders on both sides were equally to blame.”

What was the conduct of the Carlists, when Lord Eliot and Colonel Gurwood were sent among them to settle a convention for the mutual exchange of prisoners? They acceded to every thing that was asked, and embraced with eagerness the opportunity, which they had long desired, of humanizing the war. They and their King had received from us nothing but injury, and they requited us by at once entering into our views. But what was the conduct of our allies, of those whom to our own disgrace we had loaded with benefits, if indeed it be a benefit to enable men to commit crimes? They positively refused to accede to

the convention as it was offered to them, and with infinite reluctance consented to admit it for the armies then serving in the Basque provinces and Navarre. They allowed these favoured regions the rights of "prudence and humanity," but insisted that "law and justice" should range uncontrolled through the rest of Spain.

The humane writer, who applauds the mutilated Eliot convention, and shudders at the Durango decree, assures us that the Cristinos were fully justified in their resolution to continue the system of what he elsewhere calls "wholesale cold-blooded butchery." That I may not be accused of misrepresenting him, I will give the justification in his own words. "There appeared at the time not the smallest prospect of the war being extended beyond the limits in which it was then confined, but a formal admission of the probability of such an extension, made by the government of the Queen in a solemn Convention, would have given a prodigious moral force to the Carlists, and would have equally dismayed the partizans of the Queen. This was the reason why the proposal was made and why it was refused."

In other words, the Queen's government refused to extend the convention to the rest of Spain, merely because they thought it against their interest to do so. Outrage and bloodshed

appeared to them a better speculation than humanity, and this is the reason of which the author of the pamphlet approves. But his facts are as false as his morality is flagitious. So far was the war from being confined to Navarre and the Basque provinces, with no prospect of spreading, that it was actually raging in Aragon, Catalonia and Galicia; there was every prospect that it would extend into Valencia, and Zumalacarregui was expecting to carry it into Castile. The real reason why the Cristinos insisted on restricting the convention to Navarre and the Basque provinces, and the armies operating there, was this: in those provinces the Carlists were the stronger party; they had numerous prisoners in their hands, and had every prospect of making more. In the rest of Spain it was otherwise. There the Cristinos expected that the balance of blood would be in their favour, so they were unwilling to bind their hands.

When the convention thus docked and mutilated was returned to the Carlists, who could have blamed them, had they rejected it altogether? From this however they generously abstained. They accepted the fragment that was returned to them, though it was wholly to the advantage of their enemies. Thus, where the Cristinos were the stronger, they continued their butcheries without restraint,

while the Carlists consented to be bound where they might have exacted a fearful vengeance. I shall now advert to the manner in which their humanity was requited.

On the return of our liberals to power, they resolved to reward the compliance of the Carlists by letting loose upon them the lowest and vilest of our urban rabble, refined or still further debased (for I know not which term to choose) by a mixture of Irish peasants. Among them might be here and there scattered a disbanded soldier. Such were the privates of the British Legion. Of the officers, a few were on active service in the British army, many on half-pay, and the remainder now girded on a sword for the first time. The whole was to be commanded by an officer who then held the brevet rank of Lieut. Col. and who had twenty years before, served his country, in the Peninsula and America, with the utmost distinction that can be acquired by a subaltern.

The above will at once be recognized as a faithful description of the privates, by those at least of my readers who witnessed the scenes of riotous and drunken disorder that were of perpetual occurrence while the British Legion was yet encumbering our pot-houses. And such men as these our government let loose with arms in their hands on an unoffending population, and under the control of officers,

who, with a few individual exceptions, had either by long disuse half forgotten their profession, or had it altogether to learn. Charles V. no sooner heard what sort of missionaries were preparing to convert him, than he published the Durango decree.

The writer of the pamphlet opens his fire on this subject by the following attack on Lord Carnarvon. "We confess that the manner in which Lord Carnarvon has treated the question of the Durango decree, has occasioned us equal pain and surprise. His Lordship says, it is severe in principle and has been severe in its operation. Good God! is it possible that an English Nobleman, of the most unsullied honour, and of a virtuous and amiable character should thus express himself upon the wholesale cold-blooded butchery, not only of his fellow-creatures, but of his fellow-countrymen. His Lordship does not consider that circumstances altogether justified the amazement of Government at hearing the execution of prisoners; and he even throws the shield of his approbation over the bloody edict, by declaring his opinion that Englishmen were excluded from the beneficial operation of the Eliot Convention, by the spirit of the agreement. It is with unaffected regret that we see such workings of party spirit upon a mind like Lord Carnarvon's."

I could wish that every reader of this para-

graph would turn to the pages that provoked it. They will be fully rewarded, if they are capable of deriving pleasure from the soundest views of policy, and the purest, most just, and most generous sentiments conveyed in the fitting vehicle of a style at once elegant and dignified. I have reason to solicit peculiar indulgence in entering on a subject, which another has discussed with so much ability.

On the subject of this decree I have had the advantage and honour of personal communication with the monarch who issued it. I have heard him with his own lips express his deep regret that his motives had been so much misunderstood and so eagerly misrepresented in England. "Foreigners," he condescended to observe to me, "do not know this country, nor have they the slightest conception of the exasperation into which its inhabitants have been driven. I rejoice that some have come among us, as you have done, to see things with their own eyes, and judge for themselves. Foreigners also are wholly unmindful of the state of the law in the provinces. No one abhors bloodshed more than I do. I wished to put the unwary on their guard, and the day will come when they will regret not having attended to our timely warning."

Such were the intentions of Charles V. in issuing the Durango decree. I shall now state

how Lord Palmerston acted on the occasion, and I think every reader, whatever may be his opinion of Charles V., will agree with me, that if Lord Palmerston had positively desired to produce fresh exasperation, and inflame that which already existed, if it had been his intention to cause the Durango decree to be obstinately maintained and rigourously executed, he could not have acted in a manner better calculated to carry such a desire and such an intention into full effect.

Lieut. Col. Wylde received orders to repair to the King's head quarters, and read to him the following imperious message, which he was directed to leave signed in his hands.

“ The undersigned has the honour to acquaint His Royal Highness Don Carlos, that the attention of His Britannic Majesty's government has been drawn to a document purporting to be a decree signed by His Royal Highness, of which the undersigned has the honour to deliver to him a copy. The undersigned is not instructed to ask His Royal Highness whether that document be genuine, because His Majesty's government think that such a question would be derogatory to the honour and good faith of His Royal Highness; but as some of the partisans of His Royal Highness, in Spain and elsewhere, have endeavoured to propagate a belief, that whether this document be genuine

or not, His Royal Highness is resolved to carry into effect the intentions announced in the said decree, the undersigned is instructed formally to declare to His Royal Highness, that the British government will not permit the Convention which was negotiated and signed under the mediation of Great Britain to be violated with impunity ; that the British government cannot doubt that this Convention will be strictly and faithfully observed with regard to all persons engaged in the service of the Queen of Spain, whether Spaniards or others ; and that the British government look specially to his Royal Highness Don Carlos for a fulfilment of the engagements which have been made, and for an observance, on this matter, of the usages of civilized nations."

To this impudent and arrogant lecture, which, as my readers will readily perceive, contains a covert insult in almost every line, the King returned the following temperate reply, which I give in the very words of Col. Wylde. " His Royal Highness, (meaning Don Carlos) said that he had issued that decree after mature reflection, and that he considered he was perfectly justified in doing so, and had issued orders to his generals to carry it into effect ; that as to the Convention presented to him by Lord Eliot, the employment of foreign troops was not contemplated at that time, or

he should not have agreed to it, and that he looked upon this force as without the pale of that Convention."

One would imagine that Lord Palmerston might have been satisfied with the irritating effect of his insolent message, but he seems to have been apprehensive that Don Carlos might have restrained his just indignation, and offered to modify the decree so as to render it harmless, or proposed some alternative which it might have been unpopular to refuse. Whatever may have been his motive, he gave Col. Wylde a positive order to "abstain from entering into any discussion with Don Carlos on this, or on any other political subject." His envoy had only to utter his insult and begone. From this I leave the reader to conjecture whether he wished the mission to succeed.

Had he graciously condescended to admit any discussion, his envoy would probably have been told, that Don Carlos had, from the first, endeavoured to soften the miseries of war, and that his enemies had only replied by additional cruelties to his repeated acts of forbearance; that though his enemies had received every assistance from England, while he had experienced nothing but causeless hostility, he had nevertheless eagerly acceded to the full extent of the Eliot convention, whereas his enemies

had only consented to it in part, and this with reluctance; that though all he had gained by his late compliance was more determined persecution, he would at once rescind the Durango decree, if the British government would only procure their own convention to be observed in its full extent, as it had already been countenanced by British commissioners; that Lord Eliot and Colonel Gurwood, one an experienced diplomatist, and the other a distinguished military officer, had already sanctioned the convention as applied to the whole of Spain, and if that were now done, he would at once admit the British Legion to the usual courtesies of war; that, consequently, whether the Durango decree was to be maintained, or abolished, depended less on him than on the British government and their Cristino allies; but that if he were to consent to give quarter to foreigners, while the government whom they came to support were refusing quarter to his adherents, in nine tenths of Spain, he would not be able to restrain the natural indignation of his subjects, and would therefore be agreeing to what he could not perform.

All this and more would probably have been represented to the British negotiator, but the peremptory order to abstain from all discussion left our countrymen to their fate. And yet I cannot conceive how Lord Palmerston could

have suffered humiliation by treating Don Carlos as one gentleman treats another. If the latter be, as his enemies call him, a mere bramble King, pent up in a corner and beset with enemies, his very weakness would induce a generous opponent to approach him with more profound respect. But monarchs struggling for existence, or poor paltry South American republics, are just the powers for whom Lord Palmerston reserves all the terrors of his diplomacy.

The Durango decree was known in England before a soldier of the Legion left our shores. Lord Palmerston, therefore, with his eyes open, encouraged the departure of our raw and inexperienced countrymen; he sent them to bear a part in a war of extermination against a prince, justly indignant at repeated injuries, and among a fierce and haughty population, whom intolerable persecutions had inflamed almost to madness. The free natives of the privileged provinces, who had for centuries maintained their liberties against the whole power of the Spanish crown—whose laws condemned to death every foreigner entering their territory in a hostile manner—whose ancestors had executed under the eyes of their sovereign the Jewish minister of Castilian finance, who encroached upon their rights,—these were not men to submit with patience, when they found that, in return

for their ready compliance with the terms of the Eliot convention, they were to be assailed by two hordes of foreign adventurers, hired, as they believed, by speculating Jews to take their lives, outrage their families, and destroy their country. Lord Palmerston's conscience must convince him that he was himself the real author of the Durango decree, and that nothing but his own arrogant injustice and outrageous violence have maintained it in force.

It is remarkable that, though the ordinance in question applies as much to the Algerine Legion as to the British adventurers, and though the former, from having been more frequently engaged in action, must have suffered from it more, the indignation and outcry has proceeded chiefly, if not entirely from the latter. The former seem to have been aware that cruelty and injustice in one party naturally produce exasperation in the other, and that men, who have been from year to year hunted like wild beasts, will at last imbibe, in some degree, the fierceness of those mute denizens of the forest.

I trust that I have now sufficiently vindicated the Durango decree. What I have said on the subject I beg may be considered as addressed to such only as hold deeds of deliberate cruelty in real and unaffected horror, whoever may be

the victims of them, and from whomever they may proceed. There are too many, however, who have shown themselves worse than indifferent to the most barbarous excesses, as long as the honourable, the loyal and the religious have been the only sufferers; who have looked on with complacency, and rendered even active assistance, till their destructive engine has recoiled upon themselves. Against such accusers, who never feel pity but for their own pain, I disdain to vindicate the character of Charles V.

The commander of the British Legion, just before his departure, expressed infinite indignation in the House of Commons, when the term *condottieri* was applied to him. On that occasion, if he is rightly reported in the Morning Chronicle, he said that "the term *condottieri* had been applied to a class of men, who hired themselves out, but did not fight much," and it must be owned that of late at least he has proved, though with more valour than good fortune, that he has none of the pacific propensities that he then ascribed to the *condottieri*. I entirely acquit him of any thing like degrading, or mercenary motives; no doubt, if he was justified in leading his followers to take part in the Spanish civil war, there was nothing objectionable in his receiving pay and allow-

ances. But I hope I shall not bring about my peaceful dwelling the

“Guns, drums, trumpets, blunderbuss and thunder”

of his legion, if I presume to doubt whether such an expedition as his is altogether justifiable. Among men, acts must be estimated not merely by their moral turpitude, but by their effect on society, and what can be more generally mischievous, what better calculated to put every thing under the yoke of violence, than to propagate opinions by the sword, and apply to politics, what formerly prevailed in religious matters, the fanatical bloody spirit of forcible proselytism? My gallant countryman knows by experience the miseries of war, and can he really think himself justified in inflicting them on the numerous Spaniards who happen to differ from him on points of internal Spanish policy? What would become of society, if every political enthusiast, not satisfied with oppressing our patience by tedious harangues, should force his foolish fancies on our acceptance by military violence?

The author of the pamphlet offers, at p. 52, another kind of defence for the expedition in question. “Can it,” says he, “with truth and fairness be said that any motive of internal policy should have induced government to for-

bid a certain number of young men from seeking distinction and crosses, and from going in a time of general tranquillity to learn the art of war in a country, where, from its nature, war must be carried on in a manner, which calls upon the officer for the exertion of all his talents and acquirements, or why should a certain number of unemployed persons of the lower classes, have been prevented from gaining an honest livelihood for a year or two, subject to military discipline?" I suspect Colonel Evans will not thank the author of the pamphlet for volunteering to enlist as his advocate. Here there is no generous though mistaken enthusiasm—no regard whatever for any cause. Every thing here would have been just as applicable, had the gallant Lieut. Colonel led his legion to assist the Emperor of Russia against the Circassian mountaineers. The morality is in accord with the morality of the pamphlet. With this author nothing is to be regarded in a cause, but what is to be gained by it. What is it to him in what manner distinctions and crosses are won, as long as they are won at last? In his awkward defence, the gallant Lieut. Colonel appears as a being, half *condottiere*, half exquisite, whose principal object in drawing his sword is to add to the glitter of his uniform. But I trust Colonel Evans will thank me for exposing the blunder-

ing advocate, whose panegyrics are the most virulent of libels. It is not the ruby or the diamond that makes the value of a decoration, but the gallant service of which it is the token and the reward. But in a bad cause no action can be honourable, and every recompence is only an additional disgrace. The simple Waterloo medal is worth all the stars that suppleness ever gained for courtiers. This, however, is perhaps something more than the author of the pamphlet can comprehend. He, I dare say, can see no difference between a Wellington and a Potemkin, except that the former wears the garter which the latter longed for in vain.

It has not been unusual for individual officers, when their own country has been at peace, and regular wars have been in progress elsewhere, to repair to the contending armies, for the purpose of acquiring military knowledge and experience. Who, however, but the author of this pamphlet, would compare cases like these with that of an officer leading an auxiliary corps of volunteer adventurers to take part in a civil war, and mix themselves up with all the vindictive passions, and ferocious deeds, that such a war must necessarily engender?

That the war is such as "to call upon the officer for the exertion of all his talents and acquirements," I willingly allow, and I will add too that he may exert them all, and find them

too little at last. But it is the first time I ever heard that the strength of a country, and the bravery and patriotism of its martial inhabitants, were valid reasons for attacking it. The difficulty of the wilderness, or the fierceness and spirit of the quarry may add to the excitement of African, or Asiatic field-sports, but God forbid that the youth of Britain should ever be brutalized into hunters of their fellow-men, and Nimrods of human game !

What is the heart of this writer made of, who calls it an honest livelihood to fall sword in hand on men who have never injured you, and from whom you apprehend no wrong? My heart, I suppose he will tell me, is "warped in favour of despotism and ignorance," because I cannot wish success to a band of adventurers who go to wage a causeless and therefore an unjust and wicked war on the simple peasants, with whom I have conversed, whose cottages I have entered, whose patient industry I have admired, and whose manly, frank and independent character possesses a peculiar charm for every genuine Englishman. I would recommend the author of the pamphlet to examine his own heart, and see whether it be not perverted by the most bigoted and incurable kind of "ignorance," the ignorance that fancies itself wisdom, and warped in favour of the worst of all "despotisms," the despotism that

profanes the sacred attributes of liberty, by exercising its oppression in her name.

I cannot wonder that a writer, so dead to every generous sentiment should defend, at p. 63, Lord Palmerston's spiteful and barbarous order that our naval commanders should refuse Don Carlos an asylum on board our vessels, in case he should apply for it. I can scarcely indeed believe it possible that Lord Palmerston could have intended his order for any thing more than an empty threat, for he must have been aware that no British Captain would be inhuman enough to obey it. It is however of no consequence, except as far as it affects our national character, for, whatever may be the fortune of the war, our humanity will never be put to the test.

We are asked at p. 59 and 60 of the pamphlet, "will any man assert that British subjects, in their natural character, have no right to expect mercy in war?" I ask in reply, will any man assert that British subjects are in their natural character when they go as volunteers to ravage, destroy and kill without any personal, or national provocation? What has Don Carlos received from us but a succession of outrageous injuries, and yet how has he behaved to the Royal Marines? He immediately admitted them to "mercy in war," because they appeared as "British subjects in

their natural character," acting in obedience to the orders of their government, and obliged by their duty to discharge the hateful errand on which they were sent.*

* In order that the distinction made between the Legionaries and the Troops belonging to the British Crown may be properly understood, the edict relating to each is subjoined.

“ ROYAL DECREE, Durango, June 20, 1835.

“ Having received information that the revolutionary and usurping government, no longer able to fill up its ranks with fresh Spanish victims, has ordered its agents in France, England and Brussels to recruit foreigners for that purpose, I therefore order and decree as follows :

“ Art. 1. All foreigners, without distinction of rank or grade, who shall take up arms against my legitimate rights, or who shall serve, by any means whatsoever, the rebel army of the usurpation, shall be deprived of the benefits of existing Laws, nor shall they be considered as included in the ‘ Convention for the exchange of prisoners,’ signed by my authority by my Commander-in-chief, at Asarta, on the 28th of last April.

“ Art. 2. All foreigners above noticed who shall fall into our hands shall, after time being given them to perform their religious duties, be instantly shot.

“ I do further order that this my Royal Decree be published in all my dominions, and you will take the necessary steps that foreigners may be made acquainted with it as soon as possible.”

“ ROYAL DECREE, Villareal, July 15, 1836.

“ The King our master, being desirous of drawing a just distinction between the regular foreign troops and the mercenary adventurers who, in consequence of crimes against society, are obliged to fly to the standard which the revolution raises in

My anonymous opponent seems in doubt whether the gentlemen of the Isle of Dogs are Englishmen, or Spaniards, though at p. 54 he ranks them among the latter. I am not aware that they have as yet behaved otherwise than like Cristino Spaniards in the field. On the 16th of March, 1837, a regiment of the Legion was, according to the dispatch of their own commander, the first to run away. Both sorts of Spaniards went off together, leaving the undoubted Englishmen, the heroic Marines, to bring away themselves and the artillery in the best manner they might. I allow, since my opponent will have it so, that these disinterested volunteers are Spaniards in every thing, except in receiving pay and allowances,

other countries, and now directs against Spain, and willing to give a proof of his benevolent principles and high sentiments, hath ordered and doth decree as follows :—

“ That the officers and men of the Royal English Marines, who, obliged by order of their Government, have come in compliance with their duty, possibly against the dictates of their own consciences and free will, to the coasts of Guipuscoa and Biscay, and who may fall by the fortune of war into the hands of the troops of his Majesty, shall be respected and held as prisoners of war, the Decree of Durango, published before the recruitment, applying alone to adventurers, who, abandoning their own homes and renouncing the laws of their country, come voluntarily to extend anarchy and give foreign assistance to a cause with which they have no concern.

“ (Signed)

B. ERRO.”

whenever they can get them, according to the British scale. In this substantial difference they have the advantage both of their Peninsular allies, and of their Algerine comrades.

I shall not waste my reader's time and my own by seriously refuting what (to borrow an expression of Swift's) "the poverty of our language obliges me to call" the argument which appears at p. 62. I shall only state it. It is this, that since the words "the same armies at present carrying on war in the Basque Provinces and in the Kingdom of Navarre" include individual recruits subsequently joining their regiments, they must therefore include two legions of foreigners, a description of troops not in existence, or even in contemplation, when the treaty was signed. Such an argument as this is sufficiently refuted by mentioning it, and I shall therefore here take my leave of these transmontane and transmarine Spaniards.

I have represented the British Ministers as sending out Col. Evans and his Legion, because they gave them, by their defender's own admission, every possible encouragement, and suspended the Foreign Enlistment Bill to facilitate the levy. We are told at p. 51 of the pamphlet that "the law might have been evaded," as in the case of Don Pedro's expedition, which "was raised, equipped and

embarked in England—almost it may be said in defiance of the government.” I should hope the writer of this could not have read the correspondence on the subject between our Foreign Office and M. Sompayo, or he must have known that so far was the expedition from having been sent in defiance of our government, that the latter resorted to every shift and evasion to enable it to sail, and when, in spite of all the foreign awkwardness of the Miguelite agents, the vessels were stopped, Lord Palmerston was obliged to send a treasury order to release them, under pretence that the seizure was illegal. This was an odd way of forbidding the expedition.

I cannot believe that Lord Palmerston would ever have entered on his present course, if he had foreseen the horrors that were to surround him in the race, and the scenes of blood and vengeance that awaited him at the goal. His conduct is perhaps to be attributed to gross, but at the same time culpable ignorance, for such ignorance in a statesman is no small crime. Forgetting that power becomes weakness when it is wielded by incapacity, he probably imagined that a mere demonstration by England would fix the throne of Isabel on a solid basis; that the Quadruple Treaty, and the additional articles, fit children of such a parent, would sound a summons to which Don

Carlos would surrender without firing a shot, or if he should have the boldness to hold out against this, that he surely could not resist the majestic apparition of Brevet Lieut. Col. Evans in a Lieut. General's uniform. His Lordship seems to have imbibed the same false notion as his nameless defender has, of the personal character of Charles V. and to have fancied insolence, threats, arrogance, outrage and injury the readiest means of reducing a high-spirited and high-principled King to unconditional submission. He must now be undeceived. He must now see that he has no alternative but to retrace his steps and avow his errors, or run the race of blood to the end. I pity him most sincerely.

The Eliot convention, the author of the pamphlet tells us at p. 60, was "religiously observed" by "both belligerents," and such an admission from so bigoted and prejudiced a writer is, no doubt, of unimpeachable authority as far as concerns the good faith of the Carlists, but I beg leave to deny his assertion with respect to the Cristinos. He seems, indeed, himself to think that he has gone too far, for, in speaking of the king's speech of 1836, though he gives the words "*religiously observed*" the benefit of Italics, he qualifies them with the phrase "at that time," as if he was aware that at some time or other, the convention had not

been quite so "religiously observed." If he thought so, he was not mistaken. Not to mention other instances, I need only refer to the case of Col. Reyna and his six companions, taken before Puente de la Reyna, and bayoneted in cold blood on the 13th July, 1835, and to that of Brigadier Torres and other officers of the Northern army taken and shot in Catalonia, whose murder was the subject of an indignant remonstrance from Villareal to Cordova, dated 24th June, 1836.

Nothing is more natural than that a friend of the Cristinos should wish to soften, as much as possible, the odium that must attach to that party, for having restricted the Eliot convention to Navarre and the Basque provinces, and accordingly the author of the pamphlet would at p. 100 persuade his readers that, at some time or other after the king's speech, in 1836, Cordova at the request of Mr. Villiers made a proposal to extend it, which Villareal, after some negotiation, rejected.

This assertion, as indeed is usual with this writer, is couched in very general terms, and, as far as my recollection goes, no document exists to show that the proposal was ever made. On Cordova's return from Madrid, in June, 1836, he certainly had a conference with Villareal, for purposes yet unexplained, and supposed to have had reference to a very different

object, but in his justification, written by him when an exile at Bayonne, and dated the 5th of the subsequent September, in which he replies to several charges brought against him by his enemies, he makes no allusion whatever to any proposal made on his part to extend the limits of the Eliot convention, though such a proposal, if it had been made, would have been in the eyes of his accusers the most flagrant of his offences.

The anarchists of the clubs, and the revolutionary members of the Cortes exclaimed against the Eliot convention, even in the narrow limits to which it was confined; how then can we imagine that they would have tolerated an attempt to extend it, or that Cordova would have dared to make such a proposal? If indeed Mr. Villiers had applied to Cordova by the authority of Lord Palmerston; if the weight of the British government had been thrown into the scale of humanity, and such a powerful intercessor had been in earnest, then perhaps the demagogues might have feared to disgust an ally by whose support they existed, and the general might have made the proposal with impunity. But the writer of the pamphlet has not ventured to assert that Mr. Villiers's request was any thing more than a private suggestion of his own. Under such circumstances, to have put Cordova on making

the proposal in question, however creditable it may be to the heart of Mr. Villiers, does not say much for his understanding. By entering upon such a negotiation, without the assurance of British co-operation, the general would only have strengthened the democratic outcry against himself, and accelerated his own fall. He therefore exercised a sound discretion, if (as I believe he did) he declined to act on the private and personal suggestion of the British Envoy. I shall now dismiss the subject with the following question. This proposal, if it was ever made, could not have been made later than the middle of last summer; how is it that it has never been heard of till now?

My readers must by this time be convinced that the ministerial pamphlet is replete with miracles, both of argument and assertion, and among these miracles, I think they will agree with me that the passage on the King's speech of 1836 holds a conspicuous place. This is the "prudent and vigorous" speech that at the time made so much noise and excited such general indignation. On this subject Lord Carnarvon has used the language of common sense and common humanity, and is consequently taken to task at p. 98 of the pamphlet, in the following curious paragraph. "Verily his Lordship's credulity must have been sadly practised upon, when he made this declaration,

for we take upon ourselves to affirm, that the speech of the King of England had as much to do with the increase of crime in Spain, as that of the President of the United States. An infinitesimal portion of knowledge of Spain, is sufficient to make any man aware that Spaniards never know, nor care, about what is passing in other countries, or what is thought of them by foreigners, for whom they entertain almost Chinese feelings of disregard. The King of England's speech was little circulated in Spain—it could have been read but by very few of those who took part in the popular excesses, and upon those into whose hands it may have fallen, it must have produced an effect the very reverse of that imagined by Lord Carnarvon, because it was obviously an exhortation to the Spanish Government, to use in its administration of affairs that prudence and vigour which the speech made mention of; and the more those qualities were excited, the less would necessarily become the chance of impunity for the anarchists."

The writer of the pamphlet has very prudently abstained from quoting the speech in question, but I shall supply his omission. The only passage in the speech relative to Spanish affairs, is that which follows. "I have still to lament the continuance of the civil contest in the Northern Provinces of Spain. The measures

which I have taken, and the engagements into which I have entered, sufficiently prove my deep anxiety for its termination; and *the prudent and vigorous conduct* of the present government of Spain inspires me with the hope that the authority of the Queen will soon be established in every part of her dominions, and that the Spanish nation, so long connected by friendship with Great Britain, will again enjoy the blessings of internal tranquillity and union." Now I confidently appeal to any person, who possesses even "an infinitesimal portion" of common sense and an ordinary knowledge of common English, whether any "exhortation" whatever is to be found here—whether this reference to the character of our ally is not rather approbation than reproof, and far more a hint to persevere in old habits than to adopt new ones. The whole paragraph is evidently directed against the Carlists, and the expressions relative to "internal tranquillity and union," clearly allude to the prognosticated termination of the civil war, and to that alone. Nothing whatever is said about the "impunity of anarchists," though there was the strongest reason for a friendly "exhortation" on the subject, as the last and worst massacre of Barcelona had been perpetrated with "impunity" a month before.

The warlike operations of the Queen's go-

vernment had been, as is repeatedly acknowledged in the pamphlet, conducted throughout with notorious imbecillity; the only vigour shown by her generals was in ordering military executions, their nearest approach to prudence that outrageous and inhuman precaution which makes mere suspicion stand for proof. To talk of the prudence and vigour of such a government, was to instigate it to fresh excesses by applauding the past. This is the evident tendency of the passage, and it is no wonder that it excited universal disgust. As to the author of the pamphlet, I will not so libel his intellect as to suppose that he believes in the correctness of his own quibbling interpretation.

But if this paragraph is in itself disgraceful, what terms can we find to stigmatize it as it deserves, when we consider under what circumstances it was penned? The news of the Barcelona massacre had so recently arrived in England, that it must have occupied the attention of ministers at the very time the King's speech was composing; one thing at least is certain, that Lord Palmerston's dispatch to Mr. Villiers, on the subject of the massacre, is dated on the 4th of February, 1836, the very same day on which the speech was delivered from the throne. Both documents must have reached the Madrid ministers at the same time. From the dispatch they must have learned that

“ the authorities of the Queen ought to have saved her cause from the disgrace such deeds attach to it;” from the speech, that “ the conduct of her government” was “ prudent and vigorous.” I give Lord Palmerston full credit for his dispatch, which is just the kind of document which circumstances required. It contrasts most advantageously with the extracts from that of Mr. Villiers, and the covert reproof to that gentleman (conveyed in the words “ It is no palliation of these massacres that similar crimes had previously been committed by the Carlists”) though founded on misinformation, does honour to the writer. But when the dispatch came, accompanied with the speech, who could have believed him sincere ?

The writer of the pamphlet, at p. 99, declares, in opposition to Lord Carnarvon, “ that, with the exception of the inexpiable act of Mina and Nogueras, atrocities did not increase,* nor

* The following extract from a proclamation by General Latre, governor of Galicia, will show how well the Spanish government in April, 1836, attended to the “ exhortation” conveyed in the King’s speech, “ to use in its administration of affairs that prudence and vigour which the speech made mention of.” “ The penalty of death shall be inflicted on *all the factious*, and all persons known by *public notoriety, or other means*, to have formed part of the rebellious bands; also upon all persons taken with arms in their hands. Furthermore, all spies and persons concealing the factious, whatever may be their class,

was the Eliot convention more decidedly violated" after the King's speech. The latter part of this assertion I have already contradicted, and with regard to the former, it certainly is an odd way of refuting Lord Carnarvon to admit his principal fact. But the "inexpiable act" alluded to above should fill every Englishman, as well as every Spaniard, with regret and shame.*

sex, or condition, shall be shot as soon as taken, and the parents of insurgents are to be made responsible for the acts of their children, and conducted as hostages to Ferrol, &c." It would almost appear from this horrid document, that the "inexpiable act of Mina" was rather part of a system, than an outbreak of individual ferocity.

* Towards the middle of February, steps were taken for the expulsion of the monks, preparatory to church spoliation, and on the 10th of the ensuing March a decree appeared for the suppression of "all convents, colleges and other religious communities, including those of the secular clergy and the four military orders." The Zaragoza butcheries followed on the 26th, when the national guards compelled the Criminal Court to condemn four Carlists to the *garrote*, and this sentence was carried into immediate execution. The murder of these unfortunate men not sufficing to quench the thirst for blood of the "citizen soldiers," they called for the heads of two of the Judges, Pereda and Arriola, who had refused to sanction the sanguinary decree of their court, and whose lives were saved only by flight. Terror drove several clergymen and peaceable residents into exile, and so completely overawed were the authorities by the military mobs as to be unable to prevent nightly

It is with repugnance that I am again obliged to mention General Mina. He has been summoned before that all-just and all-merciful tribunal, where the widow and orphan are the most formidable of accusers, and where his employers and abettors must appear at their appointed time. It is not my purpose to dwell on this execrable and enormous offence, which however was visited by no earthly punishment, and has not prevented its perpetrator from being attended to his grave with every honour that a corrupt and merciless government can bestow. But let us not be unjust even to Mina. He had been hardened by scenes of desolation and bloodshed; he had passed years in banishment, under circumstances of strong political exasperation, and, when he returned to his country and native province, invested with supreme command, and both able and willing to realize in his viceroyalty the Roman adage,

regnabit sanguine multo,

Ad regnum quisquis venit ab exilio,

he perpetrated his most atrocious excesses without remonstrance, though the allied commissioners were in his camp. Savage and cruel

assassinations. With difficulty they protected the wives of absentees, including those of the two Judges. About this time the deportations for political offences were also at their height.

as he was both by nature and habit, he might have placed some restraint on his ferocity, had he imagined that it might offend the most powerful support of his faction, the British government. The man, who almost under British inspection, without hearing a whisper of reproof or remonstrance, had shot the unarmed peasant before the eyes of his kindred, and bayoneted the sick and wounded in their beds, might naturally feel some surprise at finding the murder of an innocent woman denounced as an "inexpiable offence."

The King's speech was delivered on the 4th of February; eleven days after, the venerable mother of Cabrera atoned with her life for the alleged crime of her son. The speech therefore had probably reached Barcelona shortly before the death warrant was signed. If Mina had been only wavering in his savage design (and great crimes are seldom committed without some misgivings) how different a result might have followed, had the speech been such as a British ministry should have prepared for a British King!

The Madrid ministers must, I think, have laughed in their sleeves at the bustling interference of Mr. Villiers. He read them a lecture on the subject, in what the writer of the pamphlet calls "becoming language," complaining, I presume, that Mina had gone a step beyond

his Northern precedents, and displayed a reprehensible excess of "prudence and vigour." "The answer," we are told, "of the Spanish government was such as might be expected." Just so. The subaltern Nogueras was put on his trial, but as to the hero of Lecaroz, who is justly termed in the pamphlet "the more guilty and responsible of the two," the Madrid people "frankly declared that he was beyond their reach."

This eminent patriot, yet reeking with the blood of his fellow-provincials, was, if we are to believe the pamphlet, "in the zenith of popularity and power;" he had "lately arrived in Catalonia," where he "had already rendered important services, both in re-establishing tranquillity and in dispersing the Carlist hordes"—in other words, he had expiated the "inexpiable crime," by a multitude of subaltern murders. It is therefore quite in the natural spirit of liberalism that the writer of the pamphlet observes—"Can it be wondered at that the Spanish government should have felt a difficulty in disgracing a man, who held such a position?"* Nogueras produced similar testimonials from Valencia, "where his zeal and activity had

* At the latter end of January, and consequently after the massacres of Barcelona and La Horta, Mina had the grand cross of the order of Charles III. bestowed upon him!

made him the terror of the insurgents," but in his case we are told they "were not listened to." I cannot but think that, between Mr. Villiers and the Spanish government, this deserving citizen was rather hardly used.

Such were the circumstances that followed the murder of Madame Cabrera. Lord Carnarvon asserts that they prove the decline of British influence in Spain, and for so doing is politely assured, by his anonymous opponent, that "he asserts that with respect to which he proves himself ignorant." This really is too bad of the gentleman without a name. I give him credit for an infinite quantity of diplomatic effrontery, but surely it is going a little too far to put off upon the unwary his own express resemblance for a portrait of Lord Carnarvon.

At p. 65 this reprover of the ignorant would make us believe that "public opinion was by no means strongly pronounced against the execution of Cabrera's mother," and that "in Spain such events produce little of the horror which they elsewhere inspire." I can assure him that Spain is not so thoroughly liberalized as he seems to imagine. What he says may perhaps be applicable to the more exalted reformers, who run their bloody course unencumbered by remorse or pity, but very different are the feelings of Spaniards in general.

On the 5th of the following April, Isturiz, in

the chamber of Procuradores, mentioned the dastardly conduct of the government on this occasion as one of his reasons for declining to join Mendizabal's administration; and Don Manuel Fontiveros, whose wife was the first person who perished by Cabrera's retaliating order, immediately addressed to the Queen a petition, which contained the following remarkable passage. "It may be said that this victim has been immolated by the partizan Cabrera. No, madam, no; my innocent wife has been assassinated by the most atrocious despotism into which we have degenerated, and which is maintained by a certain set of men who, under the mask of good Spaniards, seek for nothing else than the ruin of the throne of Isabel II., as well as that of every honourable liberal. Madam, they are deceiving you and us. The throne of your Majesty's daughter and the liberals are between the fires of two factions, that is to say, between that of the Carlists, and that of another party, which, under the pretext of a love of order, seeks to extend its dominion, as if faction was its peculiar attribute." Surely it can be no matter of wonder, if, bowed down by the weight of a ferocious despotism, which mocks its victims by mimicking the accents of liberty, every moral and religious Spaniard prays, in the heart-sick agony of hope deferred, for the triumph of the Legitimate King!

With the arrogance which liberals usually display, when they speak of the humble and needy, the writer of the pamphlet, in a note at p. 99, denounces Cabrera's mother for the offence of being "very poor," and "of the lowest class," while her son is described as having been "the Sacristan of a village church."* He will find, I suspect, if he takes the trouble to enquire, that Cabrera's parents, though not of elevated origin, were people of substance, and that the chief himself had been educated at a university and taken deacon's orders, before he renounced the church for the profession of arms.

The character which this ingenious author has given us of the gallant Catalan, is certainly sketched in the most determined and uncompromising style of Romance. He is, if we are to believe this accurate historian, a sort of modern Polyphemus, "than whom a more fiendish monster never drew the breath of life—who for the last two years has wallowed in blood, who has with his own hands dashed out the brains of his captives, and whose boast it is, that mercy and compunction are alike unknown to him." I really must soften the

* He was a *capellan*, not a sacristan, and perhaps the pamphleteer will have the generosity to ascertain the difference among his Madrid prompters.

lines of this truculent portrait. That Cabrera, who has been hunted like a wild beast for the last two years, and whose adherents are regularly shot as soon as caught, should have repaid violence by violence, is not unlikely, but the reader will take the eloquence of the pamphlet with the requisite allowance, when he hears that this Carlist Mina intimated to General Roten, in June last, his desire that their respective troops should be admitted to the benefit of the Eliot convention. Though Cabrera accompanied his request with a threat that, in case of a refusal, he would shoot 600 prisoners whom he had just captured, the humane Cristino treated his proposal with contempt, yet the "most fiendish monster that ever drew the breath of life" never put his threat into execution. In like manner, though in the first heat of passionate frenzy, he put to death Madame de Fontiveros and three other females to revenge the murder of his mother, we have no sort of evidence to shew that he executed his threat with regard to those whom he declared he had marked down. He has recently published a document which I insert below, together with his first order, as a curious contrast to the foolish rant of the pamphlet.*

* "ORDER OF DON RAMON CABRERA.—Val de Robles, 20th February, 1836. Head Quarters of the Commander General of

This communication and that to General Roten were known to all the world at the time

Lower Aragon—The barbarous and sanguinary Don Augustin Nogueras, who calls himself Commander General of Lower Aragon, has just proclaimed as an heroic act the atrocious assassination which, at his instance, has taken place at Tortosa, of my innocent and unfortunate mother, who, on the morning of the 16th instant, was inhumanly shot in the square of the Barbican, and the ill-treatment of my three sisters, although two of them were married to National Guards of that place, all of whom are now imprisoned. Filled with horror, but at the same time not shaken in my coolness and fixed resolution by this melancholy, base and cowardly act, worthy only of men determined to bring about the triumph of the cause which they have embraced by deeds of terror, however infamous, although thereby plunging the country and all its families into grief and mourning, and supposing that their *enlightened* conduct will be sufficient to ensure the criminal usurpation which has occasioned so many victims, I, in the exercise of the faculties which law and justice grant to me, as Commander General of this province, in the name of our King and lawful Lord, Don Carlos V. and in conformity with the powers vested in me have resolved as follows:—

“ 1st. The so-called Brigadier Don Augustin Nogueras and all those who actually may be serving in the army, or holding any office under the government of the Queen called Regent, are hereby declared traitors to his Majesty.

“ 2d. All those who, in conformity with the preceding declaration, may be taken shall be shot.

“ 3rd. The wife of Don Manuel Fontiveros, late Commandant of Chelva, in the kingdom of Valencia, who was arrested in order to check the rage of the cruel revolutionists, shall forthwith be shot, in just retribution for the assassination of my innocent mother, as well as three ladies more, namely, Cinta Tos,

they were made; they were not (like the apocryphal proposal by Cordova to Villareal) kept

Mariana Guardia and Francisca Urquesa, and others to the number of thirty, who I shall point out, in order to avenge the infamous punishment inflicted upon the worthiest and best of mothers.

“4th. Although my heart is broken and my eyes deluged with tears at the moment that I dictate this determination, I hereby declare, though with pain, that although I highly abhor the atrocities which have thrown me into mourning and affliction, this sanguinary thirst of blood shall be ruthlessly avenged by the death of twenty individuals for every victim of such murders as may in future be perpetrated.”

Subjoined is a copy of General Cabrera's proposals to obviate the shooting of prisoners.

“FROM GEN. DON RAMON CABRERA TO THE CARLIST MINISTER
OF WAR.

“Excellent Sir,—On the 26th of February I addressed the following circular to the Captains-General named by the usurpation in Aragon, Valencia, and Catalonia; and to the governors of Tortosa, Alcañiz, Morella, Cantavieja, Castellon de la Plana and Teruel:—

“In the glorious action gained by my brave troops on the field of Buñol, they made 322 prisoners belonging to the regiments of Savoy, Ceuta, and the Queen; these men are now in my power, and it is my intention to send them to Ballestar, a town I have chosen for that purpose, and for the erection of hospitals for the sick and wounded, in which will be also placed the wounded prisoners. I have thought proper to make this known to your excellency, in order that you may give instructions to respect this place, and for your troops not to approach it within a circle of six leagues. Should, however, your troops find it necessary to approach within this limit, then

secret and hidden six months, or more, under a bushel, to be brought out at a convenient season to glitter in a party pamphlet.

may I request that previous advice be given to the depôt that it may be either transferred elsewhere, or remain according to such instructions as I may give. Should your excellency accede to this offer, purely philanthropic, be pleased to answer this circular immediately, and forward to the chiefs and commanders of columns under your orders a copy of the arrangement which we have entered into; for I give you notice, that, should the limit I have traced be passed without previous information, all the prisoners shall be instantly shot. I shall act in the same manner, should your excellency not give instructions that in future all individuals belonging to my army, who shall be taken prisoners by your army, whether ill or well, be respected, considered as prisoners of war, and treated as such. I repeat, that should one of my men fall a victim to your accustomed atrocities, the instant this is known to me I will order to be shot, without remission, all the prisoners above-mentioned.

“ It is worthy of the satellites of the usurpation to sully my character, by attributing to me barbarous inclinations, so foreign to my feelings, and which were never exercised by me but as just reprisals. The proposition which I now make shows what are my real sentiments, and that I am desirous, as far as in me lies, to civilize this war, so rigorous and so sanguinary.

“ I beg to inform your excellency that I shall transmit a copy of the circular to his Majesty, and shall endeavour to give it every publicity, in order that those who have been deceived may now be set right, and that, should I hereafter be forced to execute hard but just reprisals, I still am second to no one in clemency and generosity; and that should the perfidy of those

The case of the Pole and the five French Royalist officers, who were shot in 1835 by Lopez Baños, at Santander, must excite horror in every breast except perhaps one. The author of the pamphlet professes, at p. 94, to wish these victims had been spared, but he stoutly maintains that they were justly sacrificed. On this, as on some other occasions, there seems a complete civil war between this gentleman's heart and his head—between his humanity and his justice. The principal of these unfortunate officers was a French colonel, excluded from his country by his politics, a man with a wife and family, and no means of support but his sword. He had applied to the Bishop of Leon in London, who frankly told him that Charles V. did not want the services of foreigners, and least of all, those of Frenchmen, as it was his desire to avoid giving any ground of complaint to the King of the French.

The Colonel, however, having no other resource, proceeded to Jersey, where he was joined by five volunteers, and thence to the

chiefs not permit them to accede to my offer, then the victims of my justice be on their heads. Let others tremble and tear themselves from those who make use of all species of seduction to satisfy their ambition, and their love of blood and gold, for these are their only idols. God protect your excellency.

“RAMON CABRERA.”

“Head-quarters, Val de Robles, March 4, 1837.”

coast of Spain, intending to land on a part occupied by the Carlists; but by a mistake of the master of their little vessel, they were landed in a district held by the Cristinos. They neither "raised a cry of Don Carlos in the villages," nor committed any act of hostility whatever, and indeed they were by no means certain of being received into the ranks of the Prince whom they came to serve. Nevertheless, they were seized and immediately shot, notwithstanding the humane intercession of some officers of the British Légion, who had thus an early opportunity of discovering how lightly they were regarded by their Spanish allies.

On this occasion, the author of the pamphlet puts the following question to Lord Carnarvon. "If, in the Irish rebellion, five or six foreigners had disembarked near Cork, and had raised the French standard upon that coast, we ask, whether the commander of the King's troops in that neighbourhood would have hesitated to hang these intruders, and whether the government or the public would have reprobated his so doing." Lord Carnarvon would, I think, find little difficulty in demolishing this formidable query. The two cases are not in point, for hoisting the French flag in Ireland, when we were at war with France, would have been an unquestionable act of hostility, but the victims of Lopez Baños had committed no hos-

tile act. Foreigners in uniform landing among us, in time of war and under a French flag, would, I should suppose, if taken, be considered as prisoners of war, at least if they were in the service of France, but unauthorized foreigners, or natives acting in a hostile manner, in a district where martial law had been proclaimed, might in strictness suffer all the severity of that summary justice, which seems so much in favour with the author of the pamphlet.

The opinion expressed in the pamphlet completely justifies General Moreno, who some years ago was exposed to so much unmerited obloquy for the execution of General Torrijos and his eighteen companions, and who has recently been denounced as the assassin of the latter by no less a personage than Lieut. Col. Evans. I shall not enter into the secret intrigues and treacherous manœuvres that were connected with the transaction, because my object is not to expose the culpable, but to exonerate the blameless, and I should not perhaps have alluded at all to these intrigues and manœuvres, but from a fear that my silence might cause it to be supposed that I was not fully aware of them. I was personally acquainted with General Torrijos, as I am with General Moreno, and cannot but lament the unfortunate end of the former, notwithstanding all the errors of his political career. The lat-

ter, however, who was then only governor of Malaga, did not act with the full rigour which the author of the pamphlet allows, for instead of executing his prisoners on the spot, as recommended in the supposed Irish case, at p. 94 of the pamphlet, he referred the matter to his superior officer, the Captain-General of Granada, who transmitted the same to the competent authorities at Madrid, and the latter sent down a peremptory order to shoot the unfortunate men within a certain time. The only particular in which Moreno swerved from his orders was, in delaying the execution many hours beyond that time, from motives of humanity, a delay which might have cost him his commission, and for which he did, I believe, receive a severe reprimand. This, I know for certain, is all the part that General Moreno bore in the transaction, and his duty as a faithful officer and loyal subject required him to act as he did.

I have now to notice, not without shame, the seizure of the 27 Carlist officers on board the *Isabella Anna*, an event that deeply disgraced the character of our country, and I must beg the reader at the same time to examine the 95th page of the pamphlet, where he will find a remarkable specimen of that bastard sort of falsehood (a favourite weapon of the author's) which consists in the suppression of truth.

He tells us that these officers were captured at sea; but he does not tell us that they were captured in a British vessel, and beyond the maritime jurisdiction of Spain. He thus conceals the insult to our flag, and the illegality of the capture. He does not tell us that they were captured by a British steamer, the *Royal Tar*, commanded by a British naval officer, and that being so captured by a vessel so commanded, they were delivered up into the hands of the Queen's Government "at a moment when," to use Mr. Villiers's own words, "the most savage acts of reprisal were practised by both belligerent parties."

And to what sort of a government were they delivered up? To the Government of "prudence and vigour;" the Government which is described at p. 66 of the pamphlet, as being about this very time "feeble, tottering and surrounded with difficulties," and which, though exhorted by the "becoming language" of Mr. Villiers, "dared not disgrace" the murderer of Madame Cabrera. These unfortunate men, many of them of the first families in Spain (but whom it is ridiculous in the pamphleteer to style "military men of rank and importance," for the principal military service of most of them was having served as a body guard to Don Carlos when in Portugal) were nearly assassinated by a mob in passing from the shore to the

jail, and would have been shot next day but for the interference of Lord John Hay and the officer who captured them. Had they perished, our nation would have been as guilty of their blood, as the ruffians who shed it.

These officers having been taken out of a British vessel, beyond the maritime jurisdiction of Spain, should not have been detained at all; and satisfaction should moreover have been insisted upon for such an unwarrantable outrage. If however it were to be granted that they were captured in Spanish waters, the coast of Biscay was the nearest land, and they would have been entitled to the benefit of the Eliot convention. Lord Palmerston himself asserts in his dispatch of the 10th of March, 1836, that the "spirit of that agreement was applicable to them," and in consequence instructs Mr. Villiers to "press for their exchange." But whatever may have been the merits of Lord Palmerston, as an instructor, Mr. Villiers was any thing but a promising pupil.

I have before, when alluding to the Barcelona massacre, noticed the contrast presented by the correspondence between these two official characters. The same contrast appears on the present occasion. Lord Palmerston evidently has the power of thinking for himself, and thinking like an Englishman and a man

of common sense. Nothing can be more just and humane than his remark on the cruelty of removing these poor sufferers to Puerto Rico, after they had already been worn down by a twelvemonth's confinement in different Spanish dungeons ; but this remark, though sufficiently obvious, was a flight above the capacity of Mr. Villiers.

In reading the dispatches of the latter, it is amazing to observe with what unconscious simplicity he betrays the transparent secret of his own nullity. His words are the mere accents of an English tongue in a Spanish head. He appears throughout to be completely under the thumb of Señor Mendizabal, and to receive whatever drops from the lips of the latter, with blind and undoubting faith, as if it had been all sworn to on the Pentateuch.* The Spaniard seems to exercise over his mind the ascendancy of a superior intelligence, and (if I may apply the words without profaneness) to "work in him both to will and to do." If Señor Mendizabal ever cast his eye on the dispatch of the 22nd March, 1836, how he must have been amused at the passage where the British Envoy talks of his "influence with the Spanish government !"

* Vide Appendix A.

This influence, however, such as it was, appears, from this very dispatch, to have been used, from Sept. 1835, till the end of March, 1836, for the purpose of procuring the release of these injured men. Every body who was applied to, military or civil, expressed a readiness to comply with "the wishes of his Majesty's government;" every body even thought "the measure highly desirable," yet with all this nothing was done. The government, so "prudent and vigorous" in the opinion of Lord Palmerston, so "feeble and tottering" in that of his defender, had recourse to their usual excuse. "They were prevented," according to Mr. Villiers, "from carrying their good intentions into effect by public opinion, which would have been most unfavourably pronounced against the exchange."

Such was the disgraceful confession, or subterfuge, of the Madrid government. The sequel may quickly be told. Señor Mendizabal proved more than a match for the united efforts of Lord Palmerston and Mr. Villiers. He had determined to send his captives to Puerto Rico, and to Puerto Rico they were sent. The British Envoy seems to have been quite satisfied with hearing from some friends of some of the prisoners that Puerto Rico was not so far off as the Philippine Islands, and with being told by our consul at Cadiz (what was no doubt per-

fectly true) that the prisoners themselves preferred any banishment to the hourly apprehension of being massacred at home.

In this case, and in that of Madame Cabrera, the British government exerted their utmost influence, and utterly failed in both. In spite of all their efforts, the 27 officers were not released, and Mina's "inexpiable act" was not visited with the slightest punishment. But, if we are to believe page 75 of the pamphlet, "English influence in Spain never was greater than it has been during the last three years." I suppose then that our influence in that country, like the lover's wound in the tragedy, "is great because it is so small;" perhaps it has already reached the last extreme of greatness, implied in the facetious logic of the answer,

"Then 'twould be greater, if 'twere none at all."

Most of these 27 officers contrived to escape from their West India banishment, and being men of courage, honour and loyalty, made their way through every hazard to the seat of war, and once more offered their swords to their persecuted sovereign. That the author of the pamphlet should revile them for thus discharging their duty, and that he should tell us that these faithful subjects, "like their master, had contracted a moral obligation not to return to the Peninsula, for the purpose of disturbing its

tranquillity," is just what might be expected from his head and heart. I shall take this opportunity of considering what "moral obligation" Don Carlos and his followers had contracted towards this country, in being "allowed to depart from Portugal."

It is well known, and indeed the writer of the pamphlet does not venture to deny, that Charles V. has never entered into any verbal, or written engagement to abandon his claims, but that he has on that subject, under the most trying circumstances, been proof against all the power of menace or persuasion, whether applied by open enemies, or pretended friends. It is for this reason that we are told of a "moral obligation." Charles V. forsooth, by accepting a passage on board an English vessel of war, has received so vast a favour—we are his creditors in such a mighty account of gratitude, that he has become our man for ever, and is bound to do nothing hereafter that may vex or annoy his masters. This can be the only meaning of the phrase in the pamphlet, if it has any meaning at all.

Now I cannot imagine how any man can incur such an obligation to another, even to the greatest and most generous of benefactors, merely by accepting his good offices. I will allow, what I believe to be the case, that the life of Don Carlos was endangered, yet because

he accepted our unconditional offer to save it, did he by that act contract a moral obligation never henceforth to interfere with our designs against the rights of his children, the interests of his religion, and the well-being of his country? Sooner than contract such an obligation as this, he would probably have placed himself at the merciless mercy of Rodil, as, at the worst, he could but have lost his life without staining his honour.

But, in fact, so far from being his benefactors—so far from having any claim on his gratitude, we had ourselves a principal share in reducing him to those difficulties from which we make a merit of having relieved him. The Madrid government sent Rodil's army into Portugal with the sanction of England, and though the troops crossed the frontier before the Quadruple treaty was signed, and accomplished their object (as far at least as it was accomplished) before the ratifications were exchanged, that only shows that the sentiments of the British government were so fully ascertained, that it was thought superfluous to wait for the formality of signatures.*

* Happening to have before me the dispatch addressed by Queen Christina's minister to the Lisbon government, on the 3rd of June, 1834, showing 1st, that the object of the Quadruple Treaty had been accomplished before the ratifications were

The author of the pamphlet is reduced to confess at p. 95, that the massacre of Barcelona equalled in horror the worst excesses of the French Revolution; but this does not prevent him from making a desperate effort to palliate it by alleged previous provocations. "It was not," he tells us, "without an exciting cause; it was an act of savage retaliation for the massacre of a number of prisoners, whom the Carlists had carried to a fortified castle. The castle was subsequently besieged by Mina. The prisoners to the number of 170 were either killed by the volleys of musketry fired at them as they fell, or were dashed to pieces on the rocks below. These unfortunate men were all inhabitants of Barcelona, and nearly at the same time that the intelligence of this massacre reached that town, news arrived also that a company of National Guards and a detachment of a regiment of the line, which had left Barcelona to escort the mail, had been surprised and slaughtered by some Carlist bands lying in wait for them. Public exasperation

exchanged; 2dly, that Don Carlos and his followers never entered into any engagements with their enemies, and 3dly, the circumstances which in the opinion of the Madrid government rendered the Additional Articles to the Treaty necessary, notwithstanding its length, I have deemed it proper to translate and insert it entire in Appendix B.

was in consequence raised to the highest pitch," &c.

This account is almost a transcript of the extracts from Mr. Villiers's dispatch of the 16th of January, a document to which I have already alluded, and which has already twice appeared in print. Four days after it reached Downing Street, these extracts constituted, with scarcely a verbal discrepancy, the principal part of a Madrid letter, in the *Morning Chronicle*. It was there prefaced by some remarks on the enormity of the crime, which seem to have proceeded from the pen of the editor. On the 21st of April, almost three months after they had appeared in the *Chronicle*, these extracts were ordered to be printed for the information of Parliament.*

I suppose even the writer of the pamphlet lays very little stress on the disaster of the detachment that was surprised and cut to pieces by the Carlists, though Mr. Villiers chooses to use the words "massacre" and "lie in wait" to express the same transaction. The latter seems to think that an ambush during war is a crime, and that not to give quarter to a merciless enemy is an "inexpiable act." The massacre of the captive Cristinos by the garrison of La Horta would have been, I allow, an

* Vide Appendix C.

act of infernal cruelty, if it had ever been committed. It was however nothing but an idle tale, which even the credulous Mr. Villiers, writing twelve days after the massacre, can scarcely be excused for having inserted in his dispatch. What then shall we say of a writer, who pretends to enlighten us on Spanish affairs, when we find him giving fresh circulation to a fiction which had been disproved twelve months ago, in most of the public journals? I shall mention the origin of this fable, which Mr. Villiers's informant seems to have adorned with some melodramatic ornaments, before he put it off on his patron.

At the time of the massacres, Mina was absent from Barcelona, and besieging the small fort of La Horta, which he was particularly anxious to reduce, from a motive of private hatred and revenge.

In 1823 he had pillaged and burnt to the ground the neighbouring village of San Llorens del Piteus, and shot every male inhabitant from 16 to 60, for the offence of having refused a contribution. Those who on that occasion escaped, afterwards returned, and re-built their ruined dwellings. They naturally joined the Carlists when the insurrection broke out, zealously assisted in fortifying La Horta, formed part of the garrison, and, in common with the rest, made a desperate defence. Mina resolved

to show them no mercy, and at the same time to exasperate his soldiers, and give a colour to his own bloody design, circulated a report that the garrison had determined to shoot 54 Cristino prisoners. The supplement to the Madrid Gazette of the 1st of February, announced that the fort had been taken, and the whole of the garrison, above 200 in number, had been put to death with their commander Miralles. The conquerors found in the fort alive and well the very prisoners, whose execution, according to Mr. Villiers and his anonymous panegyrist, provoked the Barcelona massacres. I have been assured by a credible eye-witness that thirty of these murdered men entered Barcelona in a body.

This sanguinary fable, how greedily so ever it may have been devoured by the ravenous credulity of our countrymen, was even at the time treated with contemptuous silence by those whose interest it was to have made the most of it, if it had been true, or even capable of being made to pass for truth. Neither General Alvarez, the sub-governor of Barcelona, in his proclamation of the 6th of January, nor the Municipality and Board of Trade in their address of the same date, nor Mina himself in his proclamation of the 8th, says a word about the "exciting cause" that fills one scale of the bloody balance, so steadily held by the

author of the pamphlet. In the subsequent discussions in both Chambers, when the ministers were put on their defence, and had every inducement to extenuate the atrocity of the massacres, the same profound silence was kept on the subject of any previous provocation. They knew the fiction would never pass current in Spain, so it was put off on the British Envoy. There it seems to have fully answered its purpose.

It is in fact notorious to every body in Spain, except the circle of the British Embassy, that the massacre had been long premeditated, and even threatened. It was the result of a plan formed by the Isabelinos, a noted club extensively ramified, which held its sittings at the Noria Coffee House.* The design of the conspirators was something more than the massacre of a few hundred Carlists; it was to subvert the existing government, and establish the Cadiz Constitution. Barcelona was selected as the centre of their operations, and Reus, Tarragona, and other leading towns in the principality were to follow its example.

I need not enter into the particulars of the massacres, as I have already detailed them in

* This Coffee House was afterwards closed by order of General Alvarez.

my work on the Revolutions of Spain ; I must however observe that it was not so much the number of the victims, the cannibal outrages perpetrated on their remains, or the merciless violation of the hospitals, that rendered these atrocities remarkable, as the cool deliberation with which they were perpetrated. Lists of the intended victims had been previously formed, their names were regularly called over, and every one perished in the order of the catalogue. Every thing denoted forethought and preparation. Some such outbreak had in fact been long foreseen, and from the time that Col. O'Donnel was removed from Figueras to Barcelona, his friends considered that his doom was sealed, and their apprehensions were confirmed by the obstinate refusal of the Cristino authorities to exchange him, though, as belonging to Guergues' division of the Northern army, he was included in the Eliot convention.

I myself received letters from Oñate, dated so far back as the 25th November, 1835, in which from the spirit prevailing at Barcelona dreadful excesses were anticipated, and fears were expressed lest, in that case, it might be impossible to prevent retaliation in the Northern Provinces. These fears fortunately proved groundless. There were at that time in the depôts of Oñate, Salinas and Guembe, 128 officers and 500 privates, (principally peseteros

and urbanos, the regulars having mostly joined the Carlists) yet not a single life was sacrificed, though all must acknowledge that the Royalists were amply provided with an "exciting cause." I need not observe that this glorious act of forbearance is unnoticed in the pamphlet.*

* On this occasion Charles V. published a proclamation, from which the following is an extract.

"The detestable assassinations lately perpetrated at Barcelona, in presence and with the consent of the authorities constituted by the rebellious Government (if that can be called a Government where such iniquitous deeds are committed,) by violating solemn treaties, guaranteed by the respective Powers, and outraging even dead bodies—atrocities which cannot be recorded and only to be expected from a barbarous and inhuman race, fill us with indignation, and justly so; but those examples must not be followed. If the rebels have no Government—no laws—no religion—no humanity, you possess heroic virtues; and the prisoners that you kept in the depôts, and those that you have lately made at St. Sebastians, Valmaseda and Mercadillo, can say whether my army is disciplined, and whether my people observe the laws. However, trust in me; I shall take the most energetic measures to prevent the renewal of such horrible excesses.

"On beholding the signal protection of Heaven, our continual victories, the general opinion of the Spanish people, tokens of devotion to my cause, and the proofs of support that I daily receive, within and without my kingdom, in the glorious task of delivering the nation from the calamities that overwhelm it, redouble your efforts. Let all Spaniards, truly worthy of that name—attached to their religion and their King, unite with my faithful defenders. Let them, without further hesitation and delay,

It may naturally be asked, what was the conduct of the Chambers, and how were the assassins finally punished. I will give the result in the words of the pamphlet, and I particularly recommend the reader to observe the peculiar manner in which the writer employs the phrase "*so far from*." If he should ever take it into his head to write a panegyric on some patron of his (an ambassador for instance) he will very probably tell us that the object of his flattery, *so far from* being ignorant or foolish, knew next to nothing, and was not the wisest of men. "*So far from* the Chamber of Proceres refusing to institute an inquiry upon the subject, as stated by Lord Carnarvon, such

present themselves to me, or to the authorities commanding in my name, in the several provinces of Spain, in order to co-operate in the most sacred of all causes. I will accept and reward their services.

"Let it at length be shown that the Spanish people will not succumb under the blows of a criminal faction of men, without religion, King, or country. If all honest men unite, our dissensions will be short, and the present sacrifices will save others, greater and heavier.

"It is high time to put an end to so cruel and fearful a struggle. You are all Spaniards; you are all interested in there being no division—no discord—no anarchy. Unite with your King, and I declare to you that your glory and happiness will be envied by all nations.

"Given at our Royal Head-quarters, Feb. 20, 1836.

(Signed)

CARLOS."

inquiry was with great difficulty prevented on the ground of informality; but addresses to the Crown on the subject were presented by both Chambers, and the minister of the interior read the dispatch of the government to General Mina, deploring the event, and calling upon him to execute the powers of punishment with which he was invested. In fact, some of the ringleaders were seized and transported by General Mina to the Canary Islands."

I think the reader will agree with me, that to "prevent an enquiry on the ground of informality" is much the same as to refuse it altogether, and that this answer to Lord Carnarvon, *so far from* being a contradiction, is all but an assent. Mina seized and sent on board the Rodney some of the individuals who were supposed to have borne a part in the riots of the 5th, when the Constitution was proclaimed, but no punishment whatever was inflicted on any of the savages who had massacred the Carlists the day before. Probably they were not thought to have committed a crime. It is plain, even from the statement in the pamphlet, that nothing was done. So much for the "prompt energy" of General Mina! So much for Lord Palmerston's exhortation to the Spanish government "to take such steps with regard to the criminals who perpetrated these murders, or who, by not resisting the mob,

allowed those murders to be committed, as may be consistent with the honour of the Queen's government, and the dictates of justice!" So much for "English influence" altogether!

I shall not here dwell on the horrible particulars of the Madrid massacres, as in the work to which I recently alluded, I have already described them, as far at least as they are fit to be described. Here the "exciting cause" was a report raised by the liberals, who, taking advantage of the appearance of the cholera, accused the Jesuits of having poisoned the fountains, which, being supplied with running water brought in pipes from distant springs, presented forsooth peculiar facilities for the evil practices of those religionists. I cannot compliment our good allies on their judgment in the selection of an "exciting cause." But "a friend in need is a friend indeed," and it is not a slight matter that can deter the resolute advocacy of the anonymous author. Here, however, the only excuse that he can offer for his clients is a reference to the comparatively trifling disturbances that were produced in other countries by the alarm of cholera. I leave him to the undisturbed enjoyment of his Scotch, French, Russian and Hungarian comparisons.

But when he talks of the authorities, and tells us that "the troops and National Guards

might have prevented those foul deeds," he slurs over facts that cannot be passed by in silence. Were not the National Guards not merely passive spectators, but some of them, particularly of the regiment of Granada, active agents and ringleaders in the massacre? Were not many of the more obscure rioters seized and yet none punished? Were not the more conspicuous well known, and yet all left unmolested? If the Captain-General was brought to a court martial, as this writer says, what was his sentence? Was he in truth ever tried, or sentenced at all? No satisfactory answer can be given to any one of these questions. These massacres were distinguished by revolting and loathsome excesses, exceeding in horror, if it be possible, even the cannibal orgies of Barcelona; yet no punishment was inflicted on a single rioter—no reparation made to such of the sufferers as escaped with their lives. Masses, I allow, were ordered to be said for the souls of the murdered, an order which, coming from profligate and irreligious rulers, was rather a mockery than an atonement.

But the author of the pamphlet is not satisfied with doing all he can to palliate this or that massacre; at p. 92 he excuses in the gross the excessive of the Spanish liberals, and asks us whether "the people of Southern climes enjoy an unenviable monopoly of brutal pas-

sions," and whether patriots "have not been murdered in Holland?" I allow that not merely in Spain or Holland, but in all countries, climes and ages, whenever the passions of the populace have been unchained, they have spent themselves in outrageous excesses. History is a very "old almanack." It is more than twenty-two centuries since a statesman and philosopher, perhaps the most profound, and certainly the most impartial of historians, drew in unfading colours the appalling picture of similar crimes. All who have any acquaintance with his immortal pages must be aware that the Barcelona democrats are not the first who have massacred their opponents, while the ships of a powerful ally were at anchor in their harbour. But what is the use that should be made of these bloody precedents? They should serve as warnings to posterity; they leave without excuse those unprincipled statesmen, traitors not merely to kings, but to society, who, to serve their own selfish and ambitious ends, have in various ages inflamed the passions of the needy and ignorant against their natural superiors.

But his continental forces are not sufficient for the defender of the Quadruple alliance. This *condottiere* of the pen comes among us with his recruiting drum, and in Ireland and at Bristol beats up for a British Legion of misstatements and fallacies. He has the ef-

frontery to say at p. 92 that "though some of the provinces of Spain are larger than Ireland, it may be doubted if in the course of a twelvemonth, the balance of crime would not be against the sister island, and in favour of any province that might be selected." What! are Irishmen shot in cold blood under the auspices of the government? has Trinity College been burnt? have the fellows been murdered, torn piecemeal and partly devoured by a Dublin mob under the eyes of Lord Mulgrave and the military?—Ireland, I allow, is in a hopeful way, but at present it is far behind Spain in the race of liberalism. The writer does well to conceal his name, or this novel argument of his in favour of the Spanish origin of the Irish might chance to be refuted with a shillelagh.

But most of all am I astonished at his hardihood, when he, a liberal and reformer, ventures to allude to "the catastrophe of Bristol, the inefficiency of the military, and the cowardice of the civil authorities," and lastly to "the unsatisfactory nature of the subsequent investigations." Why did the civil authorities act like cowards? Because the military were backward in supporting them. Why were the military backward? Because their commander shrunk from his duty. Why did their commander shrink from his duty? For the

same reason that the Spanish authorities shrank from their's—because of the very nature of the government he served. Whom had he to look to but to ministers, who themselves looked to the democracy—who were the creatures of agitation—whose principle of ministerial life was the pressure from without? When the cabinet depended on the physical force of the country, and the ministers of the crown were the servants of the movement, what could be more natural that both civil and military officers should be shy of acting against the superior authority?

But as to the subsequent investigations, though I allow them to have been “unsatisfactory,” it is scandalous to compare them with the determined supineness of the Spanish government. With us, the commanding officer, a man at least as much to be pitied as blamed, was tried by a court martial, and during the trial ended his days by his own hand. Had it not been for this, his instructions must have been produced. An inferior officer was tried, condemned and dismissed the service. The most conspicuous of the actual rioters were executed. Where shall we find a parallel to all this in the history of the Spanish *asonadas*?

The civil authorities were put on their trial and acquitted, for who could blame a peaceful magistracy, who were deserted by their armed protectors? I allow “the unsatisfactory nature

of the investigations" as far as regarded the ministers of the Crown, men who had previously disorganized society, and were, for that, far more deserving of punishment than the wavering soldiers, the timid magistrates, or the turbulent wretches who were delivered to the hangman. It certainly was necessary, in order both to exonerate the living and to clear the memory of the dead, that Colonel Brereton's orders (if he had any) should have come before the public. Why they were kept back is not my business to explain. The then secretary for the home department could have removed the difficulty. The writer of the pamphlet must remember, that the care of our domestic tranquillity was at that time committed to the "prompt energy" of Lord Melbourne, and to that nobleman I must refer him.

Why, let me ask him, is he constantly bringing forward the weakness of the Spanish government as its excuse? I have no doubt myself that it has wanted good intentions as well as power, but I have no desire at present to draw aside the veil from the dark secrets of liberal iniquity. Does he not however know, that coercion is the very essence of government—that a government without strength is divested of its chief attribute, and can scarcely be called a government at all? But all governments that rest on the democracy, or owe

their existence to it, are naturally weak when the democracy is to be controlled, and are apt to bow before that portion of society which most requires a master.

From this inherent weakness springs the difficulties that beset the present ruler of France, though the profound politician of the pamphlet is of opinion that "the strong hold Louis Philippe has on his people consists in his being thought the King of July—the elected of the revolution." Why, this "strong hold" is the least tenable of all positions! He reigns not by his own right but by the choice of others. What then can be more natural, or even just, than that they who made him what he is, should expect him to govern (if I may so abuse the term) according to their good pleasure rather than his own?

If however these revolutionary electors expected to find a tool in Louis Philippe, they have reckoned without their host. He has at least too elevated a mind to fill the degrading station which the author of the pamphlet recommends to him, and if he has dethroned his kinsman, it was to gain not the empty title, but the substantial power of a king. He moves along a path beset with perils, in the midst of implacable foes—the pistol, the dagger, the infernal machine, all the deadly devices that ingenuity can invent, and hate or revenge em-

ploy, are pointed at him by unseen hands; he dies daily; but any thing is better than to be called a king, and be the vassal of the vilest of subjects. This degradation he has escaped, and whatever may be our opinion of his title, and the means by which he won his throne, it is impossible not to admire the dauntless courage and untiring energy, with which he breasts the torrent of revolution.

“ A clearer-sighted or more sagacious prince than the present Sovereign of France never sat upon a throne”—says the author of the pamphlet, “ and yet France has pursued a policy with respect to Spain which seems to us inexplicable.” And where is the wonder? Louis Philippe certainly is a most clear-sighted and sagacious person, and besides has the most profound knowledge of Spanish affairs; what therefore can be more natural than that his policy should be quite “ inexplicable” to the author of this pamphlet?

Louis Philippe no doubt wished to keep on fair terms with England, and would have been glad to see a young female firmly established on the throne of Spain, not as a puppet of the movement, but as a Queen; these were valid reasons for signing the Quadruple treaty, but can any one imagine that Louis Philippe would wish to ruin the French Basques by abolishing the *fuceros* of

their brethren, and placing Spanish custom-house officers at Irun, or that he would run the risk of debauching the French army to establish republicanism in Spain? The course of events has shown that the "innocent Isabel" has no party in that country; there is no choice but between republicanism and legitimacy, and from which of these has Louis Philippe the most to fear? I suspect he knows where his real danger lies rather better than the author of the pamphlet.*

* The position of Louis Philippe, in reference to *liberalized* Spain, is exactly the same as that of the elder Bourbons at the close of 1822, when the most flaming Napoleonists found protection on the other side of the Pyrenees. The clubs of Barcelona and other places correspond with the republican associations in France, and so great is the rage for secret societies among the Spanish regenerators, that many of them are proud of patronizing the *Droits de l'Homme* and being numbered among the "Avengers of Alibaud." There is "*La jeune France*" and also "*La joven España*." In both countries there are "Brothers of the Grand Union," and of all these lodges affiliated branches extend to Portugal. In vain, for appearance sake, do the ostensible Madrid authorities fulminate anathemas against secret societies. These societies were at one time not only tolerated, but also employed to manage the Queen and silence her *camarilla*. To their influence and support, after Lord Palmerston's introduction, Mendizabal owes that ascendancy which he has for some time enjoyed. And can it be supposed that Louis Philippe, a fond parent and a vigilant statesman, could ever seek a coalition with Cardero and Serjeant Garcia, or even with Mendizabal and Calatrava?

The cutting sarcasm on the British Legion contained in Louis Philippe's speech, and the sulky silence of our King's speech on the subject of France, showed all the world that there was a difference of opinion between France and England. Louis Philippe no doubt felt that he was a king, he knew that Don Carlos, if successful, would be satisfied with promoting the happiness of his own subjects, and he was well aware that republicanism was ten thousand times more dangerous than legitimacy. Louis Philippe is allowed on all hands, to be "clear-sighted," "sagacious," and well acquainted with Spain; if such a man differs on the Spanish question from Lord Palmerston, I need not say what must be the natural inference.

I have already had occasion to expose the sordid spirit of jobbing speculation that infects the pamphlet throughout; it is not therefore necessary to refer to this subject more particularly, especially as nothing can be more vague and undefined than the golden lures with which the author seeks to entice his gaping countrymen. He somewhere assures us that we are the most philanthropic people in the world; but if we can judge of what he thinks of us by the nature of the temptations which he sets before our eyes, he must consider every Englishmen to be a low, groveling, rapacious, sacrilegious scoundrel, who

would flounder through the filthiest lane, if there was only a guinea at the end of it. But ambition in its baser, as well as in its more elevated modifications, is apt to overleap itself, and then nothing is more disgraceful than its fall. I would advise my countrymen (unless they have a passion for empty pockets) to put no trust in this author's juggling promises, to let him have his "vast field of combined political and commercial speculation" all to himself, and to keep their feet well out of the crooked dirty paths that lead to his paradise of Mammon.

In treating of the future, the author, like a prudent prophet, deals in generals, but with regard to the past, (at p. 75) he ventures to be more defined. We have already, if we are to credit him, secured three important advantages in our intercourse with Spain, and they have all been owing to the eminent exertions of the British mission at Madrid. In the first place, we have obtained a treaty "by which the connivance of Spanish authorities in the Havannah and other places is checked, and the prevention of the Spanish slave trade placed wholly within the means of England." I wish, for the sake of humanity, that this treaty was something more than a wretched juggle, which may serve to amuse a child, or a British Envoy, but which every one who has any

knowledge of Cuba, must receive with derision. As long as swift-sailing vessels can be built in the United States, and the pecuniary temptation is as great as it is at present, not all the efforts of authorities residing at the Havannah, even if they were willing, could prevent the importation of slaves. But Mr. Villiers ought to have known that the authority of Spain in Cuba has been scarcely more than nominal for many years, and even that nominal authority is now in a manner at an end. The Cadiz constitution, which prevails at Madrid, has been rejected at the Havannah, and General Lorenzo, who supported it, sent back to Spain.

We may judge from this, what obedience will be shown at Cuba, to this or any other act of the Madrid government, if it should interfere with the internal regulations of the island, and the pecuniary interests of its inhabitants. All that we have gained is permission from Spain to attempt a difficult, if not impossible, task by our own cruisers, and at our own expence. In fact, the treaty is a piece of waste paper, at least as far as "the Negro race" is concerned, but I admit that the late member for Tiverton would be the most unthankful of mortals, if he at least did not "bless the influence of Great Britain in Spain."

Our second advantage is, that during the

last two years, through the commanding influence of Mr. Villiers, the Spanish Guarda-costas have rarely made free with our vessels, while formerly that frequently happened. Squabbles about the conduct of the Guarda-costas have been of old date in our commerce with Spain, and have even led to war. I will not deny that occasionally they may have stopped vessels that should have been left unmolested, but when this writer tells us that seizures are now as rare as they were formerly frequent, such an assertion, granting it to be true, gives rise to very awkward suspicions.

Mr. Villiers has not persuaded the Spaniards to lower their duties; therefore, the temptation to smuggle is as strong as ever, and the distracted state of the interior must afford additional inland facilities to such illegal practices. If, therefore, the Guarda-costas rarely make captures, it can only be because they are diverted from their usual duty to the service of the war, or because from the poverty and wretchedness of those who used to purchase, all trade, even that of the smuggler, is ruined. No other causes can be assigned but these, causes at least that will bear the light. Will the writer of the pamphlet allege it as a matter of praise to the British mission, that advantage has been taken of the humbled and dependent condition of our wretched Cristino allies to

procure the clandestine admission of British goods? If that has been the case, what conduct can be more despicable? But I cannot believe it.

There is however a cause which sufficiently accounts for the complaisance of the *Guarda-costas*. The immaculate functionaries of the immaculate Christina, including some in the highest offices, are believed, if not certainly known, to be deeply dipped in smuggling speculations. They follow, it would seem, the advice of the author of the pamphlet, blend commercial with political speculations, and take to the illicit line in both, while poor credulous Mr. Villiers thinks he has worked a miracle in keeping off the *Guarda-costas*.

The third benefit we have received from this gentleman's diplomacy, is the exemption of our merchants from M. Mendizabal's forced loan. Now if this had been a just and fair impost, to be applied to the necessities of the state, I see no reason why British merchants should not contribute their share. They, like natives, are bound to support the government that affords them protection. In that case, our embassy abused its influence in procuring the exemption of British subjects from a just demand. This impost however was heavy in its amount, being estimated at £2,000,000. sterling, most unjust and partial in the mode of its assessment, and

though professedly levied for the purposes of the state, and particularly to discharge the interest of the national debt and the expences of the war, it was destined in part to supply the cravings of official embezzlement.

As a measure of finance it proved a complete failure, in spite of the vaunted "*prestige* of M. Mendizabal." What shall we say then to the conduct of the British government in this case? Spanish rulers, existing as ministers only by British assistance, impose a burdensome tax, in support of measures of which the British government highly approves, and in which it actively concurs, when the British legation interferes to avert the burden from the necks of British subjects, and procures them an unjust and unfair exemption from the task of supporting our own policy.

What follows I will insert in the words of the pamphlet, that I may not be accused of libelling the author. "These and many other facts which might be named would, we suspect, be looked upon by all those knowing any thing about Spain, or really caring for British interests in that country, as more than a set off for the retention of General Mina, or the removal of Mr. Honan." So, according to this humane and generous person, it is no matter if a great province is exposed to a ferocious despotism, that murders the prisoner, violates the

hospital and assassinates the parent for the offences of the child, as long as British merchants can seize a paltry and dishonest advantage, which turns out to be no advantage after all.

“The recognition by Spain of the independence of the American states, that all-important question which has now been so happily terminated,” I had nearly forgotten to mention. It is certainly just that the liberals should attempt to close the wounds which they originally inflicted, but the statement in the pamphlet is incorrect, as Mexico alone has been acknowledged independent. I should fancy the influence of France and the United States to have been at least as efficacious as that of Mr. Villiers in advancing the cause of South American independence. But these acknowledgments are, in the present state of things, mere formalities, which nobody but some diplomatic underling would exalt into matters of importance.

There is yet another proof of the prevalence of British influence, which appears at p. 77. Mr. Villiers’s passport is “a talisman” of sovereign efficacy to protect the traveller against the evil genii, so numerous in Spain, who have a hankering after a well-filled purse. It will not indeed be of service against those formid-

able Afrites, the Carlists, but it will carry an honest man safe and sound through every other danger. So writes in other words the author of the pamphlet. Now as to highwaymen and robbers, we all know that no less a personage than Señor Isturiz himself, after he had escaped from Madrid with the aid of a British passport and a pair of green spectacles, chanced to fall among thieves, and was "left penniless by the way-side," in spite of the "talisman," but British passports have invariably been respected by the supporters of Charles V. I deny altogether the assertion of my nameless antagonist, that a traveller with such a passport "might doubtless meet with ill-treatment from detached bands of Carlists." I trust however, that, if he should chance himself to fall in their way, they will for once transgress their rule of forbearance, and make him both in purse and person the unique proof of his own veracity.

He will next, I suppose deny, that the Carlists under Basilio Garcia, in August last, returned unopened to the courier from Zaragoza the French and English dispatches and the private correspondence which he was conveying, and that when the same bag reached La Granja, it was pillaged by the Queen's soldiers under Sergeant Garcia, the dispatches read, and the letters torn in pieces. Such is the

difference between the "ignorant masses" who support Don Carlos, and the "true conservative party in Spain!"*

I have now contradicted the most serious misstatements, and refuted the most mischievous fallacies of this anonymous author, and am approaching the conclusion of my wearisome task. The reader must be told, however, that out of compassion to myself and him, I have unravelled but a small portion of this tissue of fraud and falsehood. To do more would indeed have been impossible within the limits of a pamphlet. Even as I write, an unblushing misstatement impudently stares me in the face. It is said, at p. 145, that "Bilboa was not even summoned to surrender," whereas it was not merely summoned, but the summons appeared in the public journals, and the author of the pamphlet must therefore have been aware of the fact, which he has thought proper to deny.

He then goes on to reproach the Carlists with bombarding the town, and even with firing

* The case of Mr. Cornwell, which he himself gave to the public in a recent pamphlet, is another proof of the difference between the two parties in Spain. Here was a British subject to whom General Gomez gave a "talisman," which caused him to be "revered and protected" in the midst of the "ignorant fanatics;" but he could find no such "talisman" against the vexations of our friends, the Spanish "conservatives." Much good did his "character of a British subject" do him with them.

till their ammunition was exhausted, as if it were a monstrous crime to resort to the most ordinary operations of war; and all this mawkish sentimentality trickles from the same tongue, which had before thundered out that bloody sentence of "law and justice" which condemned every Carlist to the death of a traitor. The whole of the long flourish about the siege of Bilboa is as false, both in fact and sentiment, as the portion which I have just noticed, but though he enters a good deal into detail on the performances of the garrison, I have not observed any notice taken of the murder of Captain Sanz, shot from the walls while bearing a flag of truce. Perhaps he passed it over because such exploits are not unusual among the Cristinos.*

* From the first, the Cristinos treated the Carlists as outlaws, with whom faith was not to be kept, while the latter set an opposite example. When the Iron-works of Orbaizeta surrendered to Zumalacarregui, (January 14th, 1834,) Colonel Bayona and his garrison were allowed to proceed to France with all the honours of war. This was the first time the Carlists had it in their power to retaliate, and they did not do it, notwithstanding Rodil in Portugal, Castañon in the Northern Provinces, and the Queen's generals in other parts shot all Carlists they could capture.

Their treatment of flags of truce was worse. Eraso's summons to the garrison of fort De Mena shows the tone in which the Carlists spoke so early as January 4th, 1834. The instance of Cabrera's flag of truce murdered at Alcoriza, was most

But I must hasten to the conclusion. The different governments that have successively "strutted their brief hour" on the theatre of Madrid, all equally profligate and cruel, and scarcely differing one from the other but by different shades of liberalism, have for three years wasted their country by an exterminating civil war. They wielded all the resources of the state, (the pamphlet even goes so far as to say, at p. 111, that "the Queen's government was supported by the wealth, the talent, the industry of the country") and were actively supported by England and France. When the

revolting. When Gomez was at Lucena, he sent Colonel Rodrigues Alcantara as a flag of truce, with a trumpeter and an orderly to Alaix, who seized and sent them prisoners to the Alhambra, at Granada. They are now among the prisoners kept at La Isla de Leon. Captain Sanz, mentioned in the text, was the bearer of an answer from Eguia to the British Consul respecting the capture of an American brig.

I have before me the charges preferred on the 25th and 26th of January before a court martial held at Cadiz, against the Dean of Cordova and others appointed there as a junta to preserve order, in which the fiscal demands the penalty of death against them. They were afterwards attached to Gomez's army and seized, some on shore at Algeciras and others in the British sloop Ariel. These charges, preferred in the names of the "Angelic Christina and the Innocent Isabel," breathe blood and vengeance. And yet these men, as forming part of Gomez's army, are protected by the Eliot convention.

Quadruple treaty was signed, "the moral force of England and of France (to repeat the profane and immoral boast of the pamphlet, which as usual preaches the right of the strongest) was raised to its highest pitch, for all the world acknowledged that what the two Powers willed must come to pass, and that resistance to their will was idle and useless."

And what is the Power that has, for three years, defied the thunders of this terrestrial omnipotence, and gained ground on its almighty will? A few loyal and determined men, with a few hundred followers like themselves, destitute of the *matériel* of war, but reckoning on the sympathy of their country, and supported by a "moral force" which a liberal seems incapable of comprehending, the moral force of a just cause! Such at least in its infancy was the now formidable Power which shakes to its foundation the tottering throne of Isabel II.

To investigate the causes of this mighty change would be to rehearse the history of the war. That task I have already performed in my work on the Revolutions of Spain, and if I had not, it could not be done within my present limits. I must observe, however, that the success of the Carlists has not been obtained without occasional reverses, and that the trifling effect which those reverses have produced,

is the most conclusive proof of the inherent strength of their cause.

The death of Zumalacarregui, the second relief of Bilboa, the serious though obscure reverses in Catalonia, have caused them indeed to halt, but never to recede in their career of victory, and they now maintain a more menacing attitude than at any former period. The almost unmolested march of Gomez through every province of Spain, but Aragon and Catalonia, revealed to the world that Carlism was the prevalent feeling even in those parts which were reckoned most attached to Christina. At the present moment, the whole of Catalonia, Aragon and Valencia, except the fortified points, are in the power of the Carlists; Galicia is overrun by their bands, Cuenca is threatened, and even where the population is most quiescent there prevails but a deceitful calm.

The three principal causes of the failure at Bilboa were the vigour of the British officers, dissensions between the Carlist commanders, and, (the last but not the least) an accidental snow-storm. The evils of that surprise have been already more than remedied; the appointment of Don Sebastian has reconciled all jarring pretensions, and the active energy of that prince (though less could not have been expected from the son of such parents) has already achieved the most splendid success, and

inspired his followers with the fairest hopes of the future. I suspect that the panegyrist of the British Legion will not be in a hurry to sneer again at the retreat from Constantina.

While the Carlists are assuming this commanding attitude, the government of Madrid exhibits the miserable union of unblushing corruption, irreconcilable discord, and paralytic weakness.* The author of the pamphlet, at p.

* I have said scarcely any thing of the state of the clergy in Spain, as it would far exceed my limits to enter fully on so important a subject, and I have besides adverted to it in my work on the Revolutions of that country. Even the author of the pamphlet, at p. 80, professes to regret the abolition of the convents, but his expressions in the passage are not very intelligible. I must however notice a passage at p. 42, which partly concerns the church. "To satisfy their animal wants, to bask in the sun, to conceal their little savings from the rapacious grasp of the priest and the petty official tyrant of the village, is all that the common people in Spain have, for years past, ventured to aspire to." I will answer this in four or five words; seizure of property or person for arrears of tithes or taxes was a thing not heard of in Spain. We may judge, from this, of the severity of the priests and tax-gatherers. The old government of Spain had plenty of faults, but it certainly lay lightly on the lower orders. I speak only of former times; since the liberals have been in power, the financial burdens have been more than tripled, while the sources of taxation have been dried up, and at present no doubt the common people "are ground down by mis-government" to the lowest state of misery. Charles V. I should add, has had little if any assistance from church support; the mistaken notions that prevail on this subject I have also endeavoured to rectify in my work on the Revolutions of Spain.

131, talks of its "moderation," and it really seems to be reduced to such a state of collapse and prostration, as scarcely to have strength left even to commit crimes. It certainly is utterly unable to discharge the ordinary functions of a ministry. We can scarcely complain that Carlist prisoners have been massacred with impunity, when the blood of the Queen's own defenders, of St. Just, Donadio and Quesada, all victims of the movement, cries for vengeance in vain. This caricature of a government is as little able to control its generals as its mobs; Rodil, Alaix, Narvaez, Espartero, Sarsfield, and I cannot tell how many more, have evinced contempt and contumacy in various ways, yet none have been tried, none imprisoned, and some not even displaced.

The high rank of the Queen Regent has only served as her title to supreme and unparalleled contumely. She has been treated by her servant as no gentlemen would treat the most degraded of her sex; she has not been allowed the independent sovereignty even of her own bedchamber, but, with just though impotent indignation, has seen its pure and sacred frontiers violated by an armed intervention of drunken sergeants. She must now also be too well aware that, in any event, her daughter can never reign. If by any possibility Don Carlos should fail, it is not

the *despotismo ilustrado* that will succeed, and still less the miserable *juste milieu*. The triumph will remain with the men of the movement, the unmitigated republicans, the bitter haters of the whole race of sovereigns, male or female, mature or immature. Indeed the most fortunate event that could happen to the unconscious pretender Isabel, would be the success of her uncle, for the state of a Spanish Princess is at least superior to that of a private exile.

What a contrast to this wretched picture is presented by the government of Charles V. Encompassed with dangers, attacked by four armies at once, he preserves the same serene composure and inflexible resolution that have distinguished him through life, and exercises every function of a ruler as if in the quiet possession of an undisputed throne. He has not to crouch to the despotism of his generals, nor have his generals to humour the turbulence of their soldiers, nor have either to connive at the excesses of the populace. His subjects are only disturbed by the inroads of the enemy, and within the circle of his dominion mobs and *asonadas*, prison-massacres and hospital-butcheries, are things unknown.

In the equipment of his army he has overcome innumerable difficulties, and here I must acknowledge that he is under everlasting obli-

gations to Lord Palmerston. The troops of Christina indeed have at times been little better than a sort of middle men between the British ordnance office and the legitimate sovereign of Spain. But he has been still more largely indebted to his own wise economy, which has caused his scanty resources to multiply as by a miracle in his hands. It is not at his simple court that prostitutes are paraded in confiscated carriages, and the public distress insulted and aggravated by the riotous luxury and excess of individuals. In the quiet and orderly establishment of Charles V. Virtue and Frugality are the rigid stewards that divide every superfluous farthing between the claims of charity and the service of the war.

Such is the Prince whom his enemies are now making perhaps their last effort to destroy. The pamphlet indeed lays bare the embryo of a future project, which it may not be amiss to examine before I close this little work.

My anonymous opponent observes at p. 69. "Who would not have dissuaded Englishmen from staking their capital on the contingencies of a civil war, and on the results of a disputed succession?" After this just observation, which I quote to eulogize, we have at p. 126 the following information. "For three years Spain has been the great gambling house of Europe,

both politically and financially speaking. Every writer on Spanish affairs has had his party, his paper, or his job, together with his prejudices, his passions, and generally his ignorance of every thing but his own objects." I am afraid my anonymous friend himself is no exception to his own sweeping assertion, for at p. 139 I find the following passage, and I appeal to every reader who has "eyes to see, ears to hear, or a heart to understand," whether it be not pregnant and blown up with a job of the most Herculean proportions.

"We should feel that England is rich enough, strong enough, and bold enough" (bravo!) "to pursue single handed" (i. e. without France) "the course which humanity dictates, and which is most conducive to her honour and her interests. She has done so before, and she is not degenerated now. How trifling too would be our outlay—how great and how rapid our return. The *guarantee of a loan*, for which Spain is able and willing to give *ample security*, would provide for the exigencies of the state, and would render the government politically strong; a land force which should occupy the frontier of France, and which, South of the Pyrenees, should carry into effect that article of the treaty which France has failed to execute to the North of those mountains, would blockade the Carlists

in their rocky citadels and would reorganize and reanimate the Spanish army. The British standard would be a pledge that what England undertakes England will perform; and in a few short weeks we should not only have the glory of finishing this fratricidal war, but should find ourselves in the proud position of having established peace upon a lasting foundation."

Now, gentlemen readers! that I have acted the part of accoucheur, look at the result of the delivery! Who would lay this infant Hercules at the door of Lord Palmerston, or Mr. Villiers? who would believe either of them up to such a begetting as this? Does not every feature—does not the very first squall speak of a Hebrew father?

To speak seriously, it is almost a waste of words to expose the enormous folly of such a scheme. England, I suppose, is to guarantee the loan, for which "Spain is able and willing to give ample security." But what state, or what individual *that is able and willing to give ample security* requires the guarantee of a third party to be enabled to raise money? The very proposal carries fraud and falsehood on the face of it—it is in itself a proof that the borrower has no adequate security to give. I know my opponent's meaning, but after this, I have no need to travel to Cuba to put him down.

Now for the military part of this marvellous plan. Can any body out of Bedlam believe that France would allow an English expedition to blockade her South-Western frontier, and ruin her Basque districts? Would not this precious mode of "establishing peace upon a lasting foundation" unite every party in France, all of whom are already the enemies of England, in a determination to resist even by a war such an absurd attempt, and should we not by this ingenious device at once consolidate the power of Louis Philippe, and compel him to employ it in support of Don Carlos?

As a well-wisher to the legitimate sovereign of Spain, I ought not to have exposed this monstrous folly, but as an Englishman it is my paramount duty to do so. In spite of all the whispers afloat at present, I cannot believe that Lord Palmerston ever countenanced this insane scheme. Nothing short of hearing it from his own mouth would make me credit it.

The same folly is reproduced at the close of the pamphlet. "A few troops sent to Spain, to which Spanish divisions would be attached, and a *guarantee of a loan for which ample security might be given us*, are all that are wanted to make Spain tranquil," &c. &c. It is then hinted that the matter may be produced in Parliament, and "of the success, no man who knows any thing of Spain can possibly doubt."

Here we have nothing of blockading the French frontier; are the few English troops with Spanish divisions attached to be employed against the Carlists in the interior? We have already had a few British troops with not only Spanish divisions but a British Legion attached, and defeat and disgrace have been the result. If by "a few" he means 12000 or 20000 men, (and who will say we can spare either number?) such a force might possibly drive the Carlists from the more level country, and reduce the struggle to a partizan and mountain warfare. We should then have the real struggle to begin. It is my firm belief that in the end, after infinite suffering on both sides, we should utterly and completely fail. The brave men, whom their government might compel to proceed on such an infernal errand, would scarcely, I think, wish to succeed. But it is useless to discuss this matter myself, as I have an authority which the author of the pamphlet will probably consider irrefragable, for it is no less than himself.

He tells us at p. 13 that "7000 ill-appointed troops" under Mina "succeeded in baffling 40000 French, commanded by some of the best officers of the empire," and he attributes this wholly to the nature of the country, for he admits that the same Mina "in the same country completely failed against the Carlist

faction." In the next page too he tells us that these same French were "the best troops in the world." And yet he would have us believe that a few of such secondary warriors as the conquerors of Waterloo, encumbered rather than assisted by Cristino divisions, if possible more hostile to us than the Carlists themselves, would subjugate the same country "in a few short weeks!"

After a long experience in the world, I am thoroughly convinced that for one idiot it contains at least a hundred knaves, and the chances therefore, I should say, were at least a hundred to one that the author of such absurdities and contradictions as those which I have just exposed is utterly insincere. He never could have imagined such portentous follies could have been brought forward even by a liberal minister, or tolerated for a moment even by a reformed parliament. But I suspect, after all, that there has been much to do about next to nothing, and that the whole object of this formidable battery of 151 pages, in black and white, was to impart a momentary galvanic life to the long suspended animation of Spanish bonds.

A careful study of the pamphlet has finally convinced me, that neither our Foreign Office, nor our Madrid Legation have had any thing to do with the author or his work. Both the

Foreign Office and the Madrid Legation may be rich in ignorance and incapacity, but every individual attached to them is at least presumed to be a gentleman. If Lord Palmerston has said something in parliament in favour of such a production, as he is reported to have done, I am sure that it was a stretch of his goodnature, not the deliberate expression of his opinion.

Should any of my readers think that, unlike Lord Palmerston, I have run into the opposite extreme of harshness and asperity in my own expressions, I must refer for my justification to the pamphlet itself. If the errors of the author had been only those of ignorance and incapacity, I should have used very different language. I know not who he may be. I only judge of him from his work, and I am confident that every Christian, every gentleman, and every man of common honesty, will think with me, that it would have been a gross violation of all propriety to speak of such a person in the language of respect.

APPENDIX.

APPENDIX

APPENDIX.

(A.)

THE TWENTY-SEVEN CARLISTS CAPTURED IN THE ISABELLA ANNA.

George Villiers Esquire to Viscount Palmerston.

My Lord, Madrid, 22d February, 1836.

I have the honour to inform your Lordship, that upon various occasions I have called the attention of M. Mendizabal to the subject of the twenty-seven Carlist prisoners confined at Corunna, and the importance on every account of their being protected from insult and injury. M. Mendizabal has in consequence always given the most precise orders to that effect to the local authorities.

Some time since there appeared reason to apprehend an attack by the mob at Corunna upon the fortress where the prisoners were confined, and they were accordingly transported to Cadiz.

There likewise, as scarcely any regular troops are quartered in the town, they are not considered in security should any popular tumult take place, and M. Mendizabal has this day informed me that orders have been issued for immediately conveying the prisoners to Puerto Rico.

I have, &c. (Signed) GEORGE VILLIERS,
Viscount Palmerston, G. C. B. &c. &c. &c.

Viscount Palmerston to George Villiers Esquire.

Sir, Foreign Office, 10th March, 1836.

Your dispatches to the 27th ultimo have been received, and laid before the King.

With reference to your dispatch of the 22d ultimo, I have to instruct you to press for the exchange of the twenty-seven Carlist prisoners, who it appears have been removed from Corunna to Cadiz, and whom it is now intended to send to Porto Rico. It surely cannot be contended that there is any thing so peculiar in the talents or personal influence of these prisoners that any greater inconvenience would arise to the Queen's cause from exchanging them, than from exchanging any equal number of experienced officers of the Carlist troops taken in action.

It is quite true, that as these officers were captured before the convention of April, 1835, they do not strictly come within the letter of that convention, but surely the spirit of that agreement must be considered as applicable to them. The refusal to exchange these individuals appears to attach a degree of importance to them which it is hardly possible to suppose can actually belong to them. And M. Mendizabal should remember, that to send to confinement in a tropical climate Europeans whose health must already have suffered by a year's close imprisonment, is a measure very likely to end in the death of the greater part of the prisoners; while, if, on the other hand, they are to be allowed to go at large at Porto Rico, the probability is, that they will soon release themselves without any exchange at all. I am, &c.

(Signed) PALMERSTON.
George Villiers, Esquire, &c. &c. &c.

George Villiers, Esquire, to Viscount Palmerston.—(Received 1st April.)

(Extract.) Madrid, 22d March, 1836.

My dispatch of the 22d of February will have already informed your Lordship of the measures taken by the Spanish government upon the subject of the twenty-seven Carlist pri-

soners lately confined at Cadiz; but with reference to your Lordship's dispatch of the 10th of March, upon which I have conferred with M. Mendizabal, I think it necessary to state more fully the motives upon which that measure appears to have been founded.

The officers in question were captured at a moment when the most savage acts of reprisal were practised by both belligerent parties. Their lives were spared by the Government, though not without difficulty saved from popular fury, upon the grounds that they were not taken in battle or with arms in their hands; these same grounds, however, prevented their being exchanged under the treaty subsequently concluded in favour of prisoners made under such circumstances.

Measures were accordingly taken to provide for their security, with the expectation that the time was not far distant when they, in common with others, might be liberated, without prejudice to the public tranquillity or the cause of her Catholic Majesty.

This expectation was, unfortunately, not realized; and, in obedience to the instructions contained in your lordship's dispatches of the 1st of September, 1835, I used my influence with the Spanish government to procure the exchange of the twenty-seven officers then confined at Corunna. I took various opportunities of urging upon M. Mendizabal and the Minister of War the wishes of his Majesty's Government, and I likewise wrote to General Cordoba upon the subject. I procured their consent to the exchange; for the Government and General Cordoba were of the opinion which has been subsequently expressed by your Lordship, that there was not anything so peculiar in the talents or personal influence of the prisoners as to render their exchange dangerous to the Queen; nay, more, the measure was looked upon as highly desirable, in order to effect the release of some of the Queen's officers, who, to the number of eighty, were at that time in the power of Don Carlos.

All things, therefore, combined to induce the government to lend themselves to the arrangement, but they were prevented

from carrying their good intentions into effect by public opinion, which with all the excitement incidental to a state of civil war, catches at every circumstance, however trifling, as indicative of views and intentions on the part of the government, and which would have been most unfavourably pronounced against the exchange.

Upon the occurrence of the lamentable events at Barcelona, I requested of M. Mendizabal that measures might be taken for effectually protecting the twenty-seven prisoners from popular fury; and the most express orders were accordingly sent to the Captain-General of Galicia.

Not being considered in complete safety at Corunna, they were subsequently removed to Cadiz, and the government, as before, remained desirous of exchanging them as soon as possible. In the course of the last month there was too much reason to fear that at Cadiz, in the event of any popular commotion, the lives of these officers would be in danger; and the government then determined upon sending them to the Philippine Islands.

It having been represented to me by some relations of the prisoners that it would be desirable they should be sent to Porto Rico, instead of to the Philippine Islands, as being easier of access to their friends, I made an application to that effect to M. Mendizabal, who immediately granted the request.

An excellent vessel was fitted out for their conveyance, permission was given to the wives and children of those who were married to accompany them, and orders have been issued that, both during the passage and on their arrival at the colony, they should be treated with all the consideration, consistent with their safe custody, due to officers and gentlemen. His Majesty's Consul at Cadiz informs me that the prisoners have expressed their satisfaction, as they could not be exchanged, that they were sent out of the country, where any day they might have been exposed to the fate of the unfortunate individuals massacred at Barcelona.

(Signed) GEORGE VILLIERS.

Viscount Palmerston, &c. &c. &c.

(B.)

*Minister Martinez de la Rosa to the Minister of Foreign Affairs
of Her Most Faithful Majesty, &c.*

Aranjuez, June 3d, 1834.

It is extremely gratifying that the first time I open an official correspondence with Your Excellency should be under such favourable circumstances, and when at the close of a contest which has so long desolated your kingdom, a new era of tranquillity and glory beams upon it. It is not the less grateful to my feelings to reflect that the government of Her Most Faithful Majesty will have seen in the noble and loyal conduct of the Spanish government, the sincere wish entertained by the Queen, my mistress, to maintain with your Monarchy the closest relations of friendship and alliance.

In proof of these sentiments, before the Treaty was signed in London, Spanish troops had crossed the Portuguese frontiers, in order to contribute all in their power to the triumph of the legitimate cause, and it is a remarkable circumstance that before the exchange of the ratifications of that Treaty was officially known, the contest had terminated which gave rise to it.

But, for the very reason that the triumph has been rapid and complete, a want of foresight would be inexcusable in not securing the consequences, and the Spanish government, faithful not only to the letter of the Treaty, but also to its spirit and meaning, will consider this as the rule of their conduct in the various transactions conducive to its ulterior execution.

Her Majesty has with the greatest pleasure seen that, agreeably to these sentiments, the government of H. M. F. M. ordained her minister at this court to manifest, in the most unequivocal manner (as was done by Chev^r Sarmiento in his note to me of the 29th ultimo) that the opinion of H. M. F. M.'s cabinet was, "that neither the Spanish Pretender, nor the Usurper of Portugal, ought to be set at liberty, even when it should be to remove them to a distance from the Peninsula,

without a previous renunciation by each abandoning the respective governments.”

This basis, so conformable to the principles of justice and cautious policy, is the same as that adopted by the government of Her Majesty, and in conformity thereto as soon as the approaching denouement of the affairs of your kingdom was known at this Royal Residence, the Spanish minister hastened to manifest to the ambassador of H. M. the King of the French, and to the minister of His Britannic Majesty, what were the wishes and intentions of H. M. the Queen Governess, in order that the four Powers who signed the Treaty of London should in every thing proceed in accordance regarding the fate and ulterior destination of both princes, as the natural consequence of the said convention.

The close of the civil war and the generous amnesty granted to the fallen party by H. I. M. the Duke of Braganza, in the name of his August Daughter, were afterwards made known, the 7th Article of which, most remarkable for its foresight and wisdom, is to the following effect—“ S. Dom Miguel engages to quit the Peninsula within fifteen days, declaring that he will never return to any part of the Spanish provinces and dominions of Portugal, or in any way disturb the tranquillity of these kingdoms. In the contrary case, he shall lose his right to the pension agreed upon and remain liable to the other consequences of such proceeding.”

It therefore results from the tenour of the official documents received from the government of H. M. F. M., that it was right in judging that two important points necessarily ought to be secured, viz.—1st, That neither the Spanish Pretender, nor the Usurper of Portugal, should be set at liberty without the previous consent of the respective governments. 2dly, That, even supposing this consent to have been obtained, prudence counselled that, previous to their quitting the Peninsula, each Prince should be required to give an explicit promise not to return to either kingdom, or in any way disturb their tranquillity, under the penalty of losing such allowance as might have been

granted to him in consideration of his elevated rank, and exposing himself to the risks and consequences of his ulterior conduct.

These conditions were imposed upon Dom Miguel, in the very country in which he had reigned *de facto* for several years, at a time when there were still some bodies of troops which had not laid down their arms and several fortified places still hoisted his flag.

But, on the contrary, the Prince Don Carlos was in a foreign kingdom, merely followed by a band of rebels, in danger of being taken by the troops of the legitimate Queen, and without any other support, or refuge, than such as he might expect from the intercession of the Allied Powers and the noble sentiments of the Queen Governess.

Nevertheless, the Spanish government has received no information beyond that of his having been allowed to quit Evora and proceed to Aldea Galega, for the purpose of there embarking on board of a British ship-of-war, without Her Majesty having received information either of any pledges, or guarantees having been required of him, or that the previous consent of the Spanish government, as being the most interested regarding him, was waited for in order to arrange his departure and ulterior destination.

And although Her Majesty trusts that, agreeably to the sentiments which actuate her august Allies, no step will have been taken, in a matter of such great importance, that may be deemed precipitate, Her Majesty has expressly commanded me to guard against every contingency and to make suitable communications, as well to the cabinet of H. M. F. M. as those of Paris and London, not only manifesting, with corresponding dignity and good faith, what are the views and intentions of Her Majesty respecting the grave matter in question; but also for the purpose of calling the attention of her august Allies to three important points, viz.—

1st. The justice and expediency of requiring from Don Carlos, at least the same conditions and pledges as those exacted from Dom Miguel in the 7th article above quoted; 2dly, the right

which the Spanish government has of not allowing the said Prince to fix his ulterior residence, without the previous consent of Her Majesty and the concurrence of the Powers who signed the Treaty of London; 3dly, That, in order not to run the risk of this Treaty being rendered illusory, or rather to render it firm and binding, even after the expulsion of the two Princes, it would be advisable for the said Powers to publish a solemn declaration, manifesting that the Treaty subsists, in order to secure the common objects therein proposed; and that always and whensoever it should unfortunately occur that Dom Miguel, or Don Carlos, returns to these kingdoms, or disturbs the quiet possession of the crowns thereof by their two legitimate queens, that the Powers aforesaid will consider themselves bound to fulfil the stipulations of the same, by reuniting their endeavours and exertions in order to counteract any attempt, or usurpation, and thus secure the peace of the Peninsula, so essential to the repose of Europe.

In this same sense I have, by command of Her Majesty, the Queen, transmitted notes to this effect to the ambassador of His Majesty, the King of the French, and to the minister of His Britannic Majesty at this court; and Her Majesty is desirous that the best understanding and harmony should continue to subsist between the four Powers who signed the Treaty of London, until the entire accomplishment of so important an enterprise.

In consequence whereof Her Majesty has commanded me to make the present communication to Y. E. in order that you may make the same known to H. I. M. the Duke de Braganza, and thus secure the attainment of an object so essential to the pacification of both kingdoms. I have the honour, &c.

(Signed) FRANCISCO MARTINEZ DE LA ROSA.

N. B. It will be borne in mind that neither Prince accepted any pension, or allowance from enemies who felt so great an anxiety for their welfare and safe keeping.—A.

(C.)

BARCELONA MASSACRES.

*George Villiers Esquire to Viscount Palmerston.—(Received
24th January.)*

(Extract.)

Madrid, 16th January, 1836.

It appears that on the 3d instant news was received at Barcelona, that a large body of Carlists having been driven out of the village of San Lorenzo del Piteus by General Mina, had retreated to a fortified castle in the neighbourhood, carrying with them a considerable number of prisoners which they had recently made, all of whom were inhabitants of Barcelona.

The castle being besieged by General Mina, the Carlists threw their prisoners, to the number of one hundred and seventy, from the ramparts, who were either killed by the volleys of musketry fired at them as they fell, or dashed to pieces on the rocks below.

Nearly at the same time that intelligence of this atrocity was received in Barcelona, arrived the news that a company of National Guards and of a Regiment of the Line, which had left the town to escort the mail on its way to Madrid, had been surprised and massacred by some Carlist bands lying in wait for them.

Public exasperation was in consequence raised to the highest pitch, and on the 4th instant the mob proceeded tumultuously to the residence of General Alvarez, commanding in General Mina's absence, and demanded that the Carlist prisoners confined in the different forts should be delivered to them for instant execution. General Alvarez endeavoured, but without effect, to temporize with them; they rushed to the Citadel, where they found no resistance on the part either of the Governor or the Guard, and eighty-five unfortunate individuals were massacred, among whom were Colonel O'Donnel, who commanded the Carlist cavalry in the recent expedition into Cata-

lonia, a high Dignitary of the Church, and a French Lieutenant-Colonel.

On the same evening the Carlist prisoners in the fort of Altarazanas, and even those confined in the hospital, were delivered up to the people, and shot. On the following day the body of O'Donnel was burnt, and his head paraded through the streets.

(Signed) GEORGE VILLIERS.

Viscount Palmerston, &c. &c. &c.

Viscount Palmerston to George Villiers Esquire.

Sir, Foreign Office, 4th Feb. 1836.

The accounts which had reached this country of the atrocities committed at Barcelona, and which have since been confirmed by your dispatch of the 16th ultimo, have excited universal horror and indignation. It is no palliation of these massacres that similar crimes had previously been committed by the Carlists. The authorities of the Queen ought to have saved her cause from the disgrace such deeds attach to it.

The Spanish Government will no doubt take such steps with regard to the criminals who perpetrated these murders, or who, by not resisting the mob, allowed those murders to be committed, as may be consistent with the honour of the Queen's government and the dictates of justice. But you are instructed to urge the Spanish government, in the strongest manner, to adopt, without delay, effectual measures of precaution for preventing any other prisoners whom they may any where have in confinement from sharing the fate of the victims at Barcelona.

I am, &c. (Signed) PALMERSTON.

George Villiers, Esq. &c. &c. &c.

George Villiers Esquire to Viscount Palmerston.—(Received 6th March.)

(Extract.) Madrid, 27th February, 1836.

I did not fail to communicate to M. Mendizabal the contents of your Lordship's dispatch of the 4th instant.

His Excellency said that he deeply regretted, although it did not surprise him, the horror and indignation excited in England by the atrocities committed at Barcelona; and he assured me that these feelings were shared by the government, and all persons in this country who sincerely wished well to the Queen's cause.

His Excellency further stated, that at Tarragona and Reuz General Mina had displayed a prompt energy, and had effectually prevented the horrible example of Barcelona from being imitated.

The Government likewise, upon learning the events which had taken place in that city, immediately dispatched couriers to every part of the kingdom with the strictest orders to the civil and military Authorities to be upon their guard against the perpetration of similar acts.

This measure, I am happy to inform your Lordship, was successful, for in no other part of Spain has the Queen's cause been disgraced as at Barcelona.

(Signed)

GEORGE VILLIERS.

Viscount Palmerston, &c. &c. &c.

(On the same subject by the same author.)

1834.

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A
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CAMPAIGNS
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A View of the Political Question
WHICH ORIGINATED THE EXPEDITION,
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DOCUMENTS VALUABLE TO ALL CONCERNED, AS WELL AS TO
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LIEUTENANT-GENERAL DE LACY EVANS,
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MEMBERS OF PARLIAMENT.

BY
LIEUT.-COLONEL J. H. HUMFREY, K.S.F.
FORMERLY OF THE ROYAL ARTILLERY AND ROYAL STAFF CORPS, AND
COMMANDING ENGINEER ON THE COAST OF CANTABRIA.

“Then Countrymen, what need we any spur but our own cause to prick us to redress?”

LONDON :
T. AND W. BOONE, 29, NEW BOND STREET.

1838.

FOR THE REVIEW

CAMPAIGN

1871

BRITISH LEGION IN SPAIN

WITH A BRIEF HISTORY OF THE CAMPAIGN

THE BRITISH LEGION IN SPAIN, 1871. THE CAMPAIGN IN THE MOUNTAINS OF THE PYRENEES. THE BATTLE OF THE COLLEGE. THE SIEGE OF THE FORT OF THE COLLEGE. THE BATTLE OF THE COLLEGE. THE SIEGE OF THE FORT OF THE COLLEGE.

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PREFACE.

IN giving publicity to the following Remarks, I am actuated by a desire to set before the world, in its true light, a series of events which have been grossly misrepresented or misunderstood, and are still far from being appreciated either in their origin or their consequences. I am also desirous of enabling the public at large and the Legislature to judge how far it be consistent with honour and justice, that a number of officers of the British army and other *equally deserving* British subjects should be made the mark at which to point the finger of scorn, whilst they have *Honourably, Conscientiously, and Manfully* fulfilled their duty to their Government, and accomplished their engagements in an enterprise to which they were stimulated by the approbation of their Sovereign, and for which some among their own body (as Colonel Colquhoun) and several among their companions in danger (the Royal Artillery and Marines) have been rewarded by Rank, Honours, and Distinctions, granted *by that Sovereign and his Government.*

With regard to any opinions which I may have ven-

tured to put forth as *criticisms on military movements*, all I can say is, that they are *open to refutation* if erroneous, and as Mr. Midshipman Easy says, "I shall be happy to argue the point" with any gentleman who is disputatiously inclined. If I am captiously given to regard with a jealous eye any false moves on the chess-board, the fault is perhaps partially owing to the encouragement given me in my youth by the first General of this age, Arthur Duke of Wellington, who was good-natured enough, when Master-general of the Ordnance, to receive kindly, and assure me, that "he read with pleasure," my first juvenile essay on that subject,* and to which I believe I was partly indebted for a step which I then considered a boon, but which turned out the greatest misfortune of my life. I mean my promotion from the Royal Artillery to the Staff Corps in 1827. The reduction of that corps threw me adrift, and I regret that any prospects of advancement could induce me to quit such a service as the Artillery is universally allowed to be. But though I fear that I am scarcely fit for any thing else, yet as I am so unfortunate as to have been thrown by circumstances out of my line of life, *I can only hope* that I may be lucky enough (having escaped the chances of war, and seen several of my dearest friends killed by my side) to find an oppor-

* Notes on the Campaign of 1800 in Italy.

tunity of turning my sword into a pruning hook, or some other implement as useful to society.

In what I have been compelled by justice and equity to say in order to vindicate the cause of so many ill-used individuals, who may be much better able than myself, if they would only make the effort, to do so, I beg most distinctly and positively to disavow *beforehand any personality whatever*. I have the highest esteem for the Spanish nation; but if in the heat of argument I cast a slur on their as yet unsettled government, it is on their *acts* alone that the censure can fall; and for several individuals who honoured me with their friendship whilst there, I feel the *sincerest regard*, but facts are facts; and where a regiment behaves as the battalion of the Infante did at Andoain, their very selves must blush for them.

Of General Evans I can only say with Brutus, “If
“you ask me why I did this, here is my answer: not
“that I loved Cæsar *less*, but that I loved Rome *more*.”

A CONCISE REVIEW,

8c. 8c.

ONE of the most remarkable events of the present epoch, and whose political consequences are even now not nearly developed, is perhaps, the step which was taken by the Melbourne Cabinet in 1835, in sending out an auxiliary force to assist the cause of liberty in Spain ; for however the expedition itself may have been vilified or misrepresented by party spirit, and its object defeated by the treacherous incapacity of the generals in command of the national armies of that country ; we may yet venture to affirm with confidence that the mere moral support which was thereby given to the liberal cause, from the known circumstance of the British Cabinet having openly declared in favour of it, has been hitherto sufficient to prevent the opposite party from overthrowing their adversaries.

We would not have it inferred, however, from this assertion that the majority of the population of the Peninsula was ever in favour of Don Carlos, for notwithstanding the endeavours which have been made to persuade the public that such is the case, the events of the past year may afford convincing proof that the reverse is the fact. In spite of all the delays, procrastinations and the blunders of the Queen's generals, we have seen the Carlists at the very gates of Madrid without being able to enter the Capital, and after a campaign of a whole summer, in which they were able always

to elude the vigilance of their adversaries, and to march at pleasure over the whole northern half of the kingdom, they were forced to retire in disorder, across the Ebro, with the loss of more than half, or perhaps three-fourths of their numbers, and without having effected any one single object of the campaign, unless indeed we allow plunder, robbery and spoil to have been the end in view. So far from the population having risen in favour of Don Carlos, he has left universal hatred and execration behind him, and the feeling of opposition to his government is decidedly stronger in the breasts of nine-tenths of the Spanish nation than it was before.

At the period of Evans's departure for St. Sebastian, the war was all but extinct, and the Carlists, completely confined within the Basque provinces, were so much disheartened by the loss of Zumalacarregui and the failure of their attempts on Bilbao, that the very circumstance of England having thrown her sword into the scale might have been sufficient to make them give up the contest in despair, if contingent circumstances had only been taken advantage of in a proper manner by the Constitutional leaders.

But herein lies precisely the whole secret of the procrastination of the contest, and the world is astonished by such a seeming paradox, whilst people know not to what cause they should attribute the apparently interminable duration of the strife, and very naturally imagine that Carlos and his party must have been long since vanquished if they had not found a secret partizan, in every apparently indifferent spectator.

The fact, however, is otherwise, and we must seek in several distinct causes for the solution of this enigma.

First, the Spaniards are naturally and constitutionally accustomed to strife and bloodshed, and are consequently comparatively indifferent to the continuation of such a state of existence as would be intolerable to any other nation at the present day. During a period of eight hundred years, whilst the national character was forming, there was scarcely a moment's cessation of hostilities with the Moors, who were only finally expelled by the conquest of Granada, in 1492; and in later times almost incessant scenes of contention and warfare in both hemispheres have not suffered their inherent dispositions to become changed; whilst the long period of political degeneracy, during which Spain has been subject to the degrading influence of despotism in its most abject form, has prevented the operation of such improving causes as have gradually tended to enlighten the rest of Europe.

Secondly, the excessively mountainous and rugged nature of the country, not only in the Basque provinces but all over Spain, greatly facilitates the existence of an undying guerilla warfare, and gives birth to a numerous race of contrabandists or smugglers, who have no means of subsistence but by being constantly at war with civilization, who for ages have continued to elude all the efforts of successive governments to put them down, and who will probably continue to exist for ever, unless a more rational system is established, and their occupation will fail only when a well arranged government shall put trade and commerce on such a footing that a perfectly free and unshackled intercourse shall exist between Spain and other European countries. These innumerable armies of smugglers who pervade every part of the Peninsula, are the natural allies of Don Carlos as long

as he is at war with society as he is at present, and by rendering the communications difficult and uncertain, embarrass to such a degree the movements of regular troops, that mere banditti are at all times superior to them in this desultory kind of warfare.

Thirdly, the financial embarrassments of the nation have arrived at such a pitch that it is next to impossible to reckon on supplies for an army for three days together, whilst the guerillas and peasantry of the mountains are as free as the birds of the air, and seem to exist much in the same manner, wanting neither commissariat nor treasury, but every man seeming to suffice for himself in the most extraordinary manner.

Fourthly, the general deficiency of education, and the confined and desultory nature of warfare to which the Spaniards have always been accustomed, has tended most completely to suppress any latent talent which may exist among the superior officers of the army ; and even when threatened by the whole power of Napoleon, in 1808, we saw not the slightest idea of union or common exertion prevail. On the contrary, three, four, or five separate armies were formed in as many different provinces, and each in its turn was crushed by the superior talent which the French generals displayed, without any one suspecting where the fault lay. Since the commencement of the present civil war, the same vicious system has prevailed, and the few generals who had opportunities of shewing themselves worthy of confidence fell victims to their gallantry in unsupported and isolated conflicts.* Some have

* Witness the brave Iribarren for example, whilst Espartero was pottering at Ernani, and doing what a subaltern of sappers would have done much better !

been murdered in military insurrections or popular commotions, and others killed off as fast as they appeared on the scene ; and the result has been most disastrous to the cause. The best officers have in this respect been most unlucky, and from the deficiency of subalterns capable of leading on the troops in action the chiefs have been obliged to expose themselves in a manner quite uncalled for.

Finally, although a large proportion of the citizens and middling classes in Spain are decidedly constitutional in their opinions, and equally averse to the ultra Royalists and monkish bigots on the one hand, and the violent Republicans on the other, yet the long period during which the country has been subject to the debasing influence of despotism over mind, has so demoralized the whole social fabric, that many phases must be gone through, and many and great changes, and perhaps sanguinary revolutions, succeed each other before we can hope to see any thing like rational liberty seated on the throne. Hence the mistaken system of making the military question only a secondary consideration, whereas the first endeavour of all parties in the Cortes ought to be the finishing of the war. Shall we therefore say, that because we cannot at once have all we wish we are on that account to give up the point in dispute, and be content with nothing ? God forbid !

The experience of all ages, and especially of later times, has been such as to convince us that it is only by little at a time, and step by step, as it were, that a nation can emerge from nothingness, and place itself in a conspicuous station among its cotemporaries.

How many struggles did it not cost France, and how many long years of dreadful anarchy were to be endured, ere she attained to any thing like a settled Government

after the first Revolution, and even then the nation was forced to submit to a brilliant and transient period of military dictatorship, in its path to independence ; a period, however, which has contributed more than any thing else to convince the natives of their importance, and to enable us to form a just estimate of their weight in the European family.

Spain has been hitherto a dead letter among nations. The war of Independence was supported by Great Britain to serve her own ends, against the universal empire of Napoleon ; and hence we were obliged to call in the aid of the Royalist and Clerical party, in addition to the Patriots, whose feelings were outraged by the indignity which, with such ill-considered policy, had been offered to their national pride by the Emperor. Such of the *Afrancesados*, or liberal party, who had at first been induced to listen to the insidious overtures of the French ruler, were soon undeceived in the hopes they had built on his interference to regenerate their fallen country, and were disgusted by the violent encroachments which he thought proper to make on the ancient Monarchy of the Spanish nation, and they were for a time forced to join heart and hand with the Clergy and Royalist party to thrust out the foreign invader.

But what reward did the nation meet for all its sacrifices in defence of its beloved Ferdinand ? Her most just rights were disregarded, her desires of regeneration and improvement were spurned, and the old form of despotism was re-established under the influence of monkish bigotry and superstition.

The second attempt at freedom was put down by French intervention in 1823, and it was not until the present struggle commenced, and was supported by

Great Britain, that the advocates of liberty and rational improvement could indulge in a hope of success.

But no sooner was the breath out of Ferdinand's body, than the Ultra Royalist and Tory or monkish party made a scape-goat of the name of Carlos, in order to set up all their old pretensions, and raise the usual outcry against what they are pleased to style innovation, sacrilege, and irreligion. Whilst they cry out "the Church is in danger," they mean that their own unjust and usurped supremacy is in danger, and would have us believe that the establishment of freedom, and the regeneration of trade, commerce, and instruction, is to be the signal for universal blasphemy, and the downfall of the human race. By their violent opposition to any improvement whatever, they drive the other party to extremes, and raise a tempest which afterwards overwhelms them and their adversaries in one common ruin! In this state of affairs it may in general be set down as an axiom, that it is best to leave a nation to itself, until it can come to some decision as to what form of government it may finally approve, and in the abstract this may sound very well, but it must be allowed by any impartial person, that such a thing is impracticable in reality, and that it is impossible for a nation situated in the midst of Europe, and connected by so many ties with its neighbours, to be allowed to tear itself to pieces, or suffered to succumb to the wiles and artifices of those who are interested in stifling all approaches to freedom in the birth, and prolonging the existence of the dark ages in the Peninsula. If it were possible that Spain could be actually and *bona fide* kept in quarantine till the contest were at an end, England might indeed be content to remain a

passive spectator, and take part with neither side. But when we know that but for our interference and active support and countenance, the liberal party, though by far the most numerous as well as the most intelligent and respectable in every point of view, would be speedily overawed or put down as they have been in former instances, it becomes the duty of a Government which acts as it ought to do by England, and upholds the balance of power in the west of Europe, against the encroachments of Russia and the allies of despotism in the north and east, not to stand by and see assistance liberally and powerfully afforded to the Carlists, nor stretch out a sustaining hand to support the liberal party in at least an equal ratio.

We presume it is superfluous to impress on our readers, that had England stood aloof, some other nation or government would immediately have interfered to give a preponderance to the opposite side, and Spain is too necessary and valuable to us as an ally, to be lost by any apathy or short-sighted policy, which can only be attributed to fear or weakness by those who would speedily take advantage of our forbearance.

What has hindered Louis Philippe from intervening and sending a hundred thousand troops to set up Don Carlos and despotism (under whatever pretence) as in 1823, but the avowed determination of England to prevent it, and he has, in consequence been obliged to open an outlet for the national effervescence, by making war on the Moors in Africa. And in spite of all the ill will borne to liberalism by most of the Sovereigns of Europe, in spite of all the secret assistance and encouragement afforded, and the sums of money remitted by Russia,

Holland, Sardinia, &c. to keep alive the civil war in Spain, they dare not go farther, or we should long since have seen the old farce re-enacted.

It is certainly to be deplored that such want of unanimity should prevail, to distract the councils of the nation, but when we look at home and see what opposition is made to every measure of improvement, how every step to reform is represented by one party as a step towards revolution and anarchy, how many anxious years of strife and agitation it requires, even in our land, to obtain the commonest measure of justice, how many are interested in retaining every abuse, and how hard it is to get a nation, or even a smaller body of men, to open their eyes and see what is really for their own advantage, we may have compassion on the faults of our neighbours, and deal out justice in mercy.

We now come to the other part of our business, and we hope we need not dwell any longer on the importance of preserving such an ally as regenerated Spain is likely to prove, if only considered as an outlet for our manufactures and a field for our commercial enterprise and speculation.

The Spaniards are at present wholly dependant on their neighbours for almost the commonest articles of manufacture, and such a field opens to our view when we see the primitive state of privation of what we consider the absolute necessities of life, in which the natives still exist, that the most sanguine speculator can hardly imagine the demand which would be created for British articles if the nation were once protected by a liberal and enlightened Government, and united by a reciprocal interchange of staple commodities with Great Britain.

Incredible are the numerous factitious wants which would be created as soon as the Spaniards came in contact with other European nations, and of which they have at present no idea. That such a nation should be compelled to throw itself into the arms of France, we presume it is superfluous to say, is not to be desired ; and we ought, on the contrary, to endeavour by every means in our power to renew and improve old connexions, which will most certainly in the end prove of the greatest advantage to us as a manufacturing and commercial people.

Spain contains within herself the elements of greatness which only require cultivation and regulation to become one of the first nations in the world. A people hardy, brave, chivalrous, and abounding in every noble and generous quality, but whose minds, overrun with weeds and brambles, and spoilt by idleness and want of education, only require a little exertion to become first in arts and arms ; a soil and climate which favour the cultivation of all the productions of the four quarters of the globe ; ports and harbours which ought to be the shelter of numerous fleets of merchantmen, but which now are nearly deserted ; facilities of water and land communication now all neglected, mountains abounding in minerals whose mines are unexplored ; plains which only require to be traversed by good roads in every direction to bring their inhabitants into collision with civilization, and enable them to exchange their productions with those of the more barren districts and with foreign countries at the sea ports ; in a word, a country abounding in corn, wine, and oil, and rivers flowing with milk and honey, all, all neglected and nearly deserted by civilization.

Under such circumstances, it appears to us that the English Government only did their duty to the country when they determined to connect themselves more intimately with Spain by supporting the liberal party there, and it is only to be regretted that the violent opposition they experienced at home should have been such as to cause them to stop short in a career so happily commenced, and to listen to the intrigues of those who are interested in withholding more effectual aid.

It has been objected by their adversaries "why not act with determination at once, and if there be such reasons for interfering, why not send an efficient force under the national cockade, and enter openly and boldly into the cause?" The chief objection to this course of proceeding would be the handle it might have given to other powers to bring on a general war, and the very same party would have been the first to exclaim against the risk of such a contingency. It appears, therefore, that as long as the Government thought they could attain their object quietly, and under the mask of only affording maritime protection, whilst the auxiliary corps should be enlisted under the cockade, and at the expence of the Spanish Government, they hoped the same end would be answered without compromising the nation in any formal risk.

Thus far we have stated the arguments which weighed with most of the principal officers of the Legion to induce them to join the cause, and avail themselves of the Order in Council to embark in the expedition, which at the same time offered an opportunity of advancing themselves in their own profession; for a soldier who is content only to lead a life of peaceful indolence, and pur-

chase promotion at the rate of so many hundred pounds over the heads of hundreds of far more ancient and deserving competitors, is not the man he pretends to be if he does not avail himself of every opportunity of seeing in reality that which he has hitherto only studied in security at home. Nor has any one a right to attribute unworthy motives to those who have shewn, under the severest trials, that they possessed fortitude and constancy which would have gained them the deserved tribute of praise, if the public could only see without the medium of prejudice, the question in its proper light.

We have already alluded to the universal error of all Spanish defensive wars, the dispersion, namely, of their forces under separate and independent commanders, and the same cause has operated to defeat the object which was sought to be attained by sending out the Auxiliary Legion under Lieutenant-General Evans. That neither that officer nor his troops can with any show of justice or reason be blamed for not doing impossibilities, we presume it is superfluous to insist, and we shall only endeavour to give a rapid sketch or bird's-eye view, as it were, of the two years' campaign as they came under our own observation, in order to shew that the public and the British nation owe much sympathy, and ought to treat with justice, at least, if not with generosity, those officers and men who, actuated by the noblest feelings, *and under the idea that they were serving the cause of their own Government*, enlisted under the banner of liberty in the summer of 1835.

How far the Ministers have become identified with their cause by the publication of the Order in Council, and the sanction implied by that act, and those of the

British Ambassador at Madrid, Sir George Villiers, and the British Commissioner, Colonel Wylde, the reader will also be able to judge, if he be sufficiently interested in our narrative to follow us in our hasty sketch, of the following events:—

Five or six thousand men were scarcely enlisted, when General Evans took his departure for St. Sebastian, which had been considered the most eligible depot for organizing and disciplining the new levies. The cavalry were ordered to rendezvous at Santander, which is situated in a more open country, where forage is plentiful, and the population unanimously devoted to the Queen's Government, and whence they might march by land to unite with the army whenever they were required. Notwithstanding the excesses which are inseparable from any force newly raised and provided with money, the recruits made wonderful progress, and were soon in a condition to make short marches in the environs, though the number originally intended to be raised was far from being complete, and almost before the last regiment had sailed from England, the first formed were engaged with the enemy at Ernani. This affair of the 30th August was immediately magnified into a defeat of Evans and his newly raised Legion, and the most unnatural and anti-national feeling of exultation was manifested by the organs of a certain party at home on the pretended event, as if it were not equally to be deplored that a body of English troops should have been placed in even a dubious position, although supporting a cause which one party in England have always attempted to put down. The fact, however, is that an occupation of Ernani was never intended, and did not at this period

form any part of the plan of operations, and the Legion not being yet united nor even sufficiently drilled to act as a military body before the enemy, could not have been reckoned as an efficient force wherewith to open a campaign. The whole affair was a mere reconnoissance, the Spanish troops having advanced beyond the venta of Oriamendi, and the English following them for exercise as they were in the habit of doing every day on either side of the Urumea; St. Sebastian at that time not being blockaded as it was subsequently to the departure of General Evans for Bilbao. The Spanish troops having been imprudently pushed rather too far in advance towards the rocky heights of Santa Barbara were followed in their retreat by the Chapelchuries,* or native guerilla troops of the province, and the English in supporting them had ten or twelve men killed and several wounded. Instead of a "disorderly flight to the gates of St. Sebastian," as their defamers took care to proclaim at the time, the enemy did not follow within two miles of that place, and the troops remained on the heights of Ayete in the same positions subsequently occupied by them after the action of the 5th of May. The Carlists at that time were not in force, nor had they any intrenchments of consequence to cover Ernani, the famous hill of Oriamendi having been abandoned by them almost without firing a shot. This being the first time since the last war that any English troops were engaged, it made the smallest loss appear of consequence, and it would have been preferable, perhaps, not to engage in any desultory operations where the result was not in-

* So called from wearing *white* caps. Chapelgorri means red cap; Chapelchiqui, blue cap.

tended to influence the campaign. Military men are well aware that the most trifling reconnoissance cannot be made before an enemy without risking the loss of some lives, and in such a desultory warfare as that in the Basque provinces, which consists entirely in a series of unconnected operations, the most trifling skirmish is magnified by both sides into a splendid victory. The now levies behaved remarkably well, and shewed a steadiness under fire which was much to their credit.

The bulk of the Spanish army being on the Ebro, and the Carlists entirely confined to the mountainous districts of Guipuscoa, Alava and Biscay, with a portion of Navarre, the most natural plan of operations and the only one likely to succeed, was to unite a large force between Vitoria and Pampeluna, and operating from either of these two points as a base, gradually to circumscribe the insurrection, and if possible, to bring the Carlist forces to a general action and put an end to the war at one blow. Hence it is superfluous to say that any serious idea never could have been entertained by General Evans, who was perfectly well acquainted with the state of affairs in the country, of opening a campaign on his own account in this retired corner of Guipuscoa. Immediately after this event the whole Legion, which never amounted to more than eight thousand bayonets, was united at Bilbao, with the exception of the cavalry who remained as before stated, at Santander. Such difficulties occurred in raising sufficient men for the artillery, that only a small detachment of about sixty men, under Lieutenant Maclaine was yet at Bilbao, where however a park of sixteen field guns completely appointed, was assembled.

It was only on the 18th of October, that Colonel Claudius Shaw with about a hundred and fifty more men and several officers, among whom was the author of these remarks, arrived at Portugalete.* No horses had as yet been landed from England, and we must beg to be a little more particular in our details in this place, in order to account for the delay in this important branch of the equipment of the Legion.

The organization of the Artillery had been at first entrusted to Major Bouchier, an old artillery officer who had served with distinction in the Peninsula, and the recruiting went on rapidly, but owing to the want of a separate depot and the scrambling way in which every thing connected with the raising of recruits was conducted, and left to interested agents, who probably made a large per centage upon it, they were drawn into other regiments and embarked for Spain as fast as they were raised ; and no exertions on the part of Major Bouchier or others could remedy this evil, which was inseparable from the manner in which affairs were conducted. On the above officer resigning (for reasons of a private nature which we have nothing to do with), the artillery department was given to Captain Colquhoun, then on full pay of the Royal Artillery, and who was considered the fittest person from his personal qualities and experience, for such an arduous task. But the greatest difficulties were thrown in the way of his appointment, on the ground of his being at the time on full pay, although so many officers of infantry had been allowed permission to join the expedition, and had been put on half-pay for the

* Brigadier-General Macdougall and his A. D. C. Captain Jochmus, were also passengers in the same vessel.

especial purpose, insomuch that he was finally compelled to put off his departure until December. In this manner it was hoped by the opponents of the expedition, that General Evans, would be completely crippled in that arm at least, and consequently great obstacles be thrown in the way of his success. The result, however, was otherwise, and the artillery became, in spite of all obstacles, decidedly *the best* branch of the whole service, and that which on the dispersion of the Legion, the Spanish Government was most anxious to retain. We need not enter further into the difficulties which attended the first formation of this corps. Four hundred horses were purchased in England for the service of the artillery, but from the shameful manner in which they were embarked in small vessels, nearly one half perished on the passage, or were landed in such an emaciated condition, that being mostly old horses, they could never recover on the dry straw and barley which they received for rations, and in the cold stables in which they were put up a great proportion of the remainder perished almost before they could be shod previous to the march to Vitoria. In this manner, from not being under the care of the officers of the corps, who were sent out with the men in separate vessels, not above a hundred and thirty horses ever reached Portugalete, and out of these, thirty-three were in such a state of exhaustion that they could not even be led with the rest to Santander, and from the want of transport at the moment they were finally lost to the service, part of them dying of disease emanating from starvation, and the remainder not being worth the transport to that place.

Out of the whole number, about ninety survived the march over the mountains to Santander, and with about

a hundred and twenty more which were afterwards received from England,* were all that could be saved from the wreck. In this manner, at the very outset of the cause, upwards of ten thousand pounds were lost in the article of horses alone, for the cavalry did not fare much better than the artillery ; and out of two regiments we do not believe they ever mustered 400 horses at Vitoria. No blame whatever is attributable to the commander or to any officer in the Legion on this head, for as we said before, we received the horses only after we had landed in Spain, and in the condition described. And yet on the 10th of December, by the greatest exertions, a battery of artillery marched to Vitoria with upwards of a hundred good working horses, and a second followed soon after of equal force. On the 10th of June, 1837, about ninety serviceable horses (belonging to the artillery) were left out of the whole lot, and these of course, like the remnant of the officers and men, had to thank their tough constitutions for weathering the storm.

But to return to the Legion at Bilbao. The formation had gone on rapidly, and on one occasion soon after our arrival, we mustered seven thousand British bayonets, as good looking troops as need be seen, and if they had but been fairly treated, equal to any thing.

It appears that the true plan of campaign must at this time have been *intended* to be acted on, as the Legion were scarcely organised at Bilbao, than it was rumoured they were to march to Briviesca, in order to act as a reserve to Cordova's army in the ensuing campaign. Great apprehensions appear justly to have been entertained of

* One ship alone lost thirty-two out of forty-seven horses ; and among them two private animals for field-officers, which cost the owners fifty guineas !

engaging the Legion in the mountain defiles, which extend from Bilbao to Vitoria, and although Cordova had a large army with which he might have advanced to meet the corps of ten thousand men (Spaniards and English), which might have sallied from Bilbao, it was deemed adviseable to move round by Portugalete, Castro, Ampuero, Ramales, Nestosa, and Villasanta, to Villarcayo, and thence by the high road to Briviesca. Owing to the want of arrangement and instruction on the head of baggage, the officers lost nearly all they possessed on this march, partly from want of transport, but chiefly from the mules being overloaded and badly packed, so that even those officers who commenced the march with a surplus, lost much on the road, and that which was consigned to Santander, was all plundered in the depot, from the Spanish authorities refusing to give a storehouse in which to lock it up. In the same manner many hundred pounds worth of public stores were plundered and made away with, and all for the paltry meanness of not having a warehouse hired for the purpose of securing them. The whole of the supplies of artillery, ammunition, rockets, saddlery, clothing, equipments, and arms, which were landed from England at Santander, and which were sent off in convoys weekly throughout the winter, were placed in some open gun sheds, which had been fitted up for stables, whilst the most splendid warehouses were to be had on the quay, in which not an article could possibly have been lost, as the field train officers might have been responsible for their charge if they had been able to keep it under lock and key. The delusive security of a guard proved like setting a fox to watch a goose, for they were the very people who connived at, and were tempted by enormous bribes to allow of the abduction of

the stores, and the utmost vigilance of the officers, and the greatest severity which could be exercised on the delinquents when discovered were all unavailing.

The evil continued to increase till there was nothing left to plunder, and it is only a miracle that the ammunition boxes of the artillery were not emptied, as the limbers stood in the same place. Probably they did not find a market for shrapnel shells and flannel cartridges so readily as for casks of boots, great coats, trousers, &c. The fault lies at the door of the Spanish Government, for it was their property, and they were repeatedly warned of the necessity of taking precautions, but all in vain.

The horses which had escaped the dangers of starvation on board ship, might all have perished of hunger at Santander, had it not been for the indefatigable exertions of the officer in command, for the Spanish Commissaries not only refused to furnish rations according to contract, but absolutely made large sums of money by playing into the hands of the contractors, insomuch that the officers were obliged to go and seize cart-loads of hay and straw on the high road, and bring them by force to the stables to prevent the horses from famishing. Abandoned in this manner by the Government even at their very landing on the Spanish shores, what could be expected from men treated in such a manner. And notwithstanding all this, not a murmur was heard, and all seemed only anxious to meet the enemy.

Before we proceed to the details of this horrid winter of privation and suffering, we must mention the relief of St. Sebastian by a handful of the Legion under Colonel Arbuthnot,* who commanded the depôt at Santander.

* A Post-Captain, R.N.

Profiting by the departure of the troops from the coast, the Carlists had closely invested and were actually bombarding this fortress, which, though a strong place, and quite impregnable to such troops as the enemy now in front of it, was left in the most shameful state of abandonment, without a garrison or an artilleryman for its defence. A few half disciplined national guards, on whom no reliance was to be placed, were the only troops in the fortress, which was on the point of being terrified into a surrender when Colonel Arbuthnot threw himself, with 250 convalescents from the depôt, and fifty artillerymen commanded by the author of these remarks, into the place. In 24 hours we had guns mounted, and embrasures opened in every direction, and such a fire was opened from the place that no enemy dared to shew his face. The hostile batteries were quickly disarmed, and after remaining ten days till the arrival of a Spanish battalion justified his return, Colonel Arbuthnot sailed back to Santander, leaving a party of 20 artillerymen under an officer * to assist in the defence in case the enemy should venture to renew his attack. This little episode was one of the most able things done during the war, for the news only arrived during the night, and at daybreak the troops were on board with ammunition and artillery, and under weigh to the relief. It was also the first time the artillery of the Legion were engaged in Spain, and it seemed as if a blue jacket worked miracles, for the men took to their trade as if by instinct, and having a few old N. C. officers to overlook the guns, made excellent shots. For this little piece of service the officers engaged in it received the thanks of the Ayuntamiento, and were recommended to the

* Captain Thoreau.

favourable notice of the Government, not that they had done any thing more than their duty, but to show the sense that was entertained of the service performed. But nothing further was heard of the promised decoration from that day to this, though many received it for far less efficient exertions.

The Legion were not allowed to remain long in their cantonments in and about Briviesca, for by the beginning of January, they were all united at Vitoria and took part in the attack on Arlaban on the 18th of that month. Great things were expected from General Cordova and the Spanish army, and there is not the slightest doubt that a man of energy and talent might have finished the war that winter.* But, as usual, the time was passed in marches and counter-marches, and changes of cantonments, "now on this side" of Vitoria, "now on that," and nothing at all was done either to incommode the enemy, or to forward the prosecution of the campaign. The typhus fever which had already made its appearance at St. Sebastian, and in the depôt near Santander, broke out with the greatest fury as soon as the troops arrived in the environs of Vitoria. Hundreds fell sick daily, and by the spring, according to the most probable accounts, sixty officers and two thousand soldiers had perished of disease, misery, and starvation. The weather continued most dreadful, and snow, rain, and frost, in alternate succession succeeded each other till the end of March. Such was the state of destitution in which the Legion was left, that the men were forced to lie on the cold wet stone floors of the churches and convents in

* Nothing can exceed the splendid appearance of the Spanish Cavalry and Horse Artillery, but they were scarcely ever brought into action.

which they were quartered, without blankets, without pay, and almost without rations, for the delivery of even this pittance, which was all the soldiers and many of the officers had to depend on, was extremely irregular and frequently of the worst quality—and though the surrounding villages were overflowing with forage, the whole of it was wasted without any magazines being formed, and the cavalry and artillery were forced to go out daily and seek it, very often in the face of the enemy. Just as by the greatest exertions some order had been introduced, the Legion left Vitoria to return to St. Sebastian.

In the month of March, Brigadier-General Macdougall, and Colonel Wylde, the British Commissioner, proceeded to Madrid, in order to remedy, if possible, this state of affairs, and the Government as usual were profuse in expressions of sympathy and promises of amendment.* It was agreed that all arrears should be immediately settled, and the pay of the troops henceforward be secured monthly in advance according to contract and the custom of the British service. In all these negotiations and representations Mr. Villiers and Colonel Wylde took an active part, and it was considered that in future, the English Government would be responsible for the fulfilment of the contract by their allies.—Hope once more cheered the hearts and brightened the countenances of the British soldiers, and their return to the coast to act in conjunction with the naval forces, was determined on. How far this plan could be considered as combined with the true line of operation, and what dependance was to be placed on the co-operation of the Spanish army divided by seas and mountains

* See Appendix.

from their allies we do not pretend to divine. The Legion returned to Santander somewhat diminished in numbers, it is true, but the remnant looked and felt as though they had never suffered, and a hearty cheer greeted the ear as they first caught sight of their almost native element, the ocean. They were once more quickly shipped off for St. Sebastian, and on the 5th of May, while the last two regiments of infantry were yet in the offing, and before the artillery and cavalry arrived, the strong positions of the enemy which had been fortified with so much care during the winter, were stormed and carried with the loss of 80 officers and 800 men killed and wounded. Seventeen officers and about 200 men were among the number of killed or died of their wounds, the remainder were more or less severely wounded.

This victory, if it had been followed up by a corresponding move on the part of Cordova (who should have advanced either by Salinas or Lecumbéri on Tolosa, with an overwhelming force, and have formed a junction with the British in the heart of the provinces) would not have been in vain. But owing to the disgraceful inactivity of the Spanish troops nothing was done, and the whole force of the Carlists was left at liberty to oppose Evans's advance and every idea of further co-operation seems to have been given up. Shortly afterwards, on the 28th of May, a pontoon bridge* was thrown across the Urumea, and Passages was occupied, the Legion taking up a position on Ametza to cover that port. On the 6th of June the enemy having no longer any appre-

* Under the direction of Captain Humfrey, who had been appointed to superintend the Engineer department; the Navy lending their assistance in the heartiest manner, as they did on all occasions when required.

hension of an advance on the part of the Spaniards concentrated a large force in order to attack the British, but were repulsed at every point with great slaughter.

Here it is time to pause a moment, and we beg the reader who desires to be informed of all the details and amusing incidents which occurred from the commencement of the service until this period, to refer to a most amusing and well written little work, entitled "Twelve months in the British Legion, by an Officer of the Ninth Regiment," understood to have been written by Captain Thompson. As the present is chiefly a military sketch, we shall premise that it is necessary to have a map of the coast. A small, but very distinct one is published by Wyld at Charing Cross, reduced from some sketches sent home by the author of these notes. A plan of the ground round St. Sebastian, is also annexed to these remarks, shewing the movements of the troops in March, 1837, and illustrating a memoir on the subject which will be here partly reprinted. The best map of Navarre and the Basque provinces for common purposes, is that of Dufour at Paris, for five francs.

The proper and only truly strategic position to have taken up after the victory of the 5th of May, was the Venta hill or strong position of Oriamendi, which, from the nature and form of the ground it was not necessary to occupy too extensively. Such was the panic which seized the enemy, when compelled to abandon their third and last intrenchment on the heights of Ayete on the 5th of May, that they fled beyond Ernani; and had the matter been duly weighed before hand, and the action only delayed until the whole force with the cavalry and artillery was concentrated in St. Sebastian, that place, with the hill of Santa Barbara might have been occupied

and held securely, in defiance of all attempts of the enemy to dislodge a force of two or three battalions once in possession of it. The remainder might have been quartered in a very strong position at Oriamendi, where there was good cover in several farm houses for the remainder of the troops thus forming an excellent reserve half way to St. Sebastian. Had this position been taken up there is no doubt it might have been held, since even the more extensive one covering Passages, was not forced, though part of the troops were obliged to be detached on the heights of Puyo and Ayete to maintain the high road. And if the position of Oriamendi had been immediately intrenched, no apprehension could exist as to the ability of a small force to maintain it. The town of Ernani itself is very strong, as likewise the rock of Santa Barbara, which only requires a battalion of five or six hundred men to hold it with safety. Being once in possession of Ernani and Santa Barbara the high road from France was interrupted and Irun and Oyarzun must fall as a matter of course. But the operation was begun at the wrong end and not remedied till a year afterwards. But the recollection of the affair of the 30th of August, was perhaps what prevented this wholesome plan from being followed, as it had been magnified into an occurrence of such consequence, that even those who ought to have known better, seem to have held the very name of Ernani in dread, as if it were destined to be a rock a-head of them for ever. The enemy no sooner found they were not followed than they returned to profit by our negligence, and immediately began to intrench themselves on the very spot which we should have occupied, and from which we never ventured to dislodge them until the next year, when it was done at the expense

of many valuable lives. Of so much consequence is it to determine before hand on the course we should pursue in the event of victory, so as not to be surprised by it in the very dilemma which we should only fall into, even if defeated.*

As it was, General Evans was completely hampered in his position on Ametza, which combined with the necessity of holding the heights of Ayete which command St. Sebastian, effectually prevented him from moving with safety in any direction. If he attempted a flank movement in the face of an active and unsubdued enemy, he exposed himself to be cut off from St. Sebastian and Passages, and if he returned to the true line of operation he exposed himself in like manner to lose the harbour of Passages, as it would require some time to put it in a sufficient state of defence to hold out unless in connection with a covering corps. This indecision, which was probably greatly promoted by the political state of affairs and the time necessarily consumed in communicating by a circuitous route with the main army, prevented any thing decisive from being undertaken during the whole summer, and induced the failure of the attempt or rather demonstration on Fontarabia.

On the evening of the 10th July, the corps broke up from its positions, leaving a sufficient force on Puyo and Ayete, as well as in Passages, to hold those points, and appeared early in the morning of the 11th, before Fontarabia, having crossed the harbour of Passages in boats and rafts, and marched by the mountain ridge which extends all along the coast. The place was

* Nevertheless, as it turned out that the Spanish army would not move at all to meet us, Passages was perhaps of more consequence than Ernani to us as an isolated corps.

quickly invested and cut off from all communication with the country, but on a nearer examination, it was considered that it was not to be taken by a *coup de main*, and in the evening, the troops were again withdrawn and bivouacked on the mountains, not however without a smart skirmish with the enemy, who were determined to feel our intentions, and attacked us even in our inaccessible position with the greatest pertinacity, being repulsed however with much loss. This was another occasion of triumph to the adversaries of the Legion, and we must say that they had a most plausible excuse, for failing of one's object from whatever cause is virtually a defeat. If it had been determined to seize Fontarabia, there is no doubt the thing was to be done, as it was by no means inaccessible on the sea side, and was totally unprovided with means of defence; having only a garrison of about 200 or 300 irregular troops without provisions, and one old piece of iron ordnance. An escalade from the sea beach could scarcely have failed if it had been attempted at the proper point whilst 7,000 troops encompassed the town on all sides. We ought to have mentioned that reinforcements had arrived both of Spanish troops* and recruits for the Legion, so that after leaving sufficient force at Passages and other points, the corps which moved on Fontarabia amounted to 7,000 men, the royal navy and marines co-operating with us. The affair was decidedly *manqué*, and redounded much to the discredit of those concerned, but the troops most certainly were not to blame. We cannot assert positively on whose judgment and by whose advice the assault was suspended, and though, doubtless, it was given prudently,

* The brave Saragoza regiment, than which a better, in every respect, does not exist in Europe.

the affair should never have been undertaken unless intended to be consummated.

On our return from this expedition it was not thought proper to reoccupy the heights of Ametza, but on the first of August a reconnoissance was made by a large force, which took possession of the hill without opposition, and abandoned it again in the evening. This also was construed into an attack defeated, though it certainly was nothing of the kind, for if it had been intended to retain possession of the position, there was no force to prevent us from having done so.

From this time the war seems to have slept, and we continued apparently undecided whether we were to pass the winter in our present position or not. Great discontent was occasionally manifested by the troops on account of the shameful manner in which they were neglected by the Government. Gomez ran through the whole of the south of Spain, and returned without having effected any one object save plunder and desolation. The enemy took advantage of our negligence to fortify themselves on Ametza, and on the 1st of October brought up five large pieces of cannon to cover their attack on our position. They were every where repulsed with great slaughter, though our force had been weakened by withdrawing several battalions which were sent to Santander in consequence of that country being threatened by the expeditions of Gomez and others. We lost four hundred and fifty men in killed and wounded, including several valuable officers, among whom was Lieutenant Backhouse, of the artillery, a great friend of the author, and a most excellent officer. He had commanded the rocket troop, and was always foremost in the attack. He was shot

through the head, and fell into the arms of Colonel Colquhoun. Not a day in fact had passed during the summer in which we had not lost men in some skirmish or affair of outposts, and we had decreased considerably in number from that and other causes.

After this we set to work in earnest to fortify the position we held for the winter; but Ametza, like the hill of Oriamendi continued to be the object of our anticipations rather than our fears, and slumbered like Vesuvius after an eruption. We began to get accustomed to the sight of these harmless bugbears, and a friendly intercourse and exchange of civilities occasionally took place at the outposts, such as is usual in *Christian* warfare, if such a term be not a mockery of the religion which commands peace to mankind. Our labours continued uninterrupted till the snow covered every trace of our ditches and parapets, and a sort of suspension of hostilities, during which neither side shewed any signs of life, ushered in the new year of 1837. The siege of Bilbao had been raised on Christmas day by the involuntary victory of Espartero, who, after "pottering" for six weeks from one side of the river to the other, was decided to abandon the place to its fate, when his own troops, spurred on by Colonels Wylde and Colquhoun, and gallantly assisted by our glorious tars, under Captain Lapidge and his officers, did that of their own headlong valour which their general never could have accomplished by all his marches and manœuvres. The enemy were allowed to retire unpursued and to reorganize unmolested, and quickly recovered from the effects of such a disastrous undertaking in such a season. The loss of twenty-five pieces of artillery they did not care for, as they had no use for them

in the mountains, where alone they can expect to reign unmolested and safe from pursuit.

During the preceding summer the Constitution had been proclaimed throughout the kingdom, and Cordova, denounced by the patriotic party as a traitor, had been forced to fly for safety to France. Being succeeded by Espartero, who had formerly been regarded as a dashing officer, the indecision which he now shewed as Commander-in-chief, made the once decried Cordova appear a martyr to popular clamour, for he at least by his blockading system had managed to keep the enemy within bounds, but they were now unchained and ran riot through the whole country, setting at defiance all the endeavours of superior forces to restrain their incursions.

General Evans had received reinforcements during the winter, which enabled him to take the field on the 10th of March, with 14,000 effective men, besides those remaining in the forts who were not capable of more active duty. This corps, consisting of eight battalions of the Legion, one of Royal Marines, and thirteen Spanish battalions of unequal size, was supported by a small but efficient body of Lancers, and by sixteen pieces of field artillery, completely equipped and manned, partly by the artillery men of the Legion, partly by gunners of the Royal Artillery, and Marine Artillery, and every thing seemed to justify the most sanguine hopes of success.

The enemy, it was well known, had been induced by the universally received opinion, that Fontarabia and Yrun were the destined points of attack, to withdraw the greater part of their forces from the Venta, and had concentrated them in the direction of Oyarzun, and all the approaches leading in that direction were strongly intrenched. As we have already remarked, it will be evi-

dent to every one acquainted with the subject, and who consults the nature of the country, that a flank movement in the face of an active and unsubdued enemy must be at all times a hazardous operation ; and in order to reduce Yrun and Fontarabia, supposing the enemy to have a force at liberty to interrupt the attempt, it would be necessary to have a corps of observation sufficiently strong to hold him in check in whatever direction and in whatever force he might attack, and at the same time to keep up the communication with Renteria and Passages, whilst a separate corps should be at liberty to reduce the places in question. But if we suppose the enemy, as would assuredly be the case from the uncertainty of all combined operations, and as actually happened, to be at liberty to fall with their united forces on a corps of 14,000 men, it is evident that the latter must occupy a very strong position, and have half their number in reserve, so that they could scarcely be supposed to cover an open position of much more than a mile in extent, if we consider the necessity of protecting the flanks and rear from the incursions of an enemy in an intersected and woody country, and without a direct communication with St. Sebastian. From these and similar considerations it was never for a moment doubtful to us that Astigarraga would be the real point of attack, and that the rocky hill of St. Marco would consequently be, in the first instance, the pivot of our operations. Once in possession of this point, a very small force might have held it, whilst the remainder should have pushed on to Astigarraga, and according to the force of the enemy, have, if necessary, taken up a position resting its left on that mountain and its right on Astigarraga, with safe and

easy communications to the rear to Alza and Ametza ;* in which situation a small force might have defied all the attacks of superior numbers, and at the worst by withdrawing the right to Ametza, have still kept possession of St. Marco as a pivot. Or else in the event of the enemy *not* possessing force sufficient to prevent our immediate advance by the right on Ernani (as was the case on the 10th March), there was nothing to prevent us from passing over the bridge of Astigarraga (keeping possession of that important point), occupying Ernani and the Venta hill, and thus turning all the intrenchments of the enemy by a masterly movement. From Ametza to Astigarraga the distance is not more than 2,500 yards, or a mile and a half. After occupying Ernani, and the hill of Santa Barbara, with an ample force, there would have remained 9,000 or 10,000 men disposable, who might have remained in reserve or have been detached to any point required. The whole might have been done without any considerable loss, as the enemy would have been cut off by the main road the moment the village and the bridge of Astigarraga were in our possession. But a more dilatory and apparently more cautious mode of proceeding was adopted, which, however, cost us in seven days a loss of 2,400 men in killed and wounded, and ended in discomfiture and misfortune, as is generally the case when the true principles of any science are abandoned.

Ametza and its contiguous range of heights being taken almost without firing a shot ; instead of pushing on as we intended, the whole of the Spanish troops were

* Such a position is indicated in the plan of this part of the country, where the several battalions are shewn distinctly covering the requisite space of ground, and coloured in vermillion.

heaped up in masses on the left, and engaged in skirmishes with the enemy, who by degrees brought up strong bodies and posted them in such a manner on the inaccessible rocks of St. Marco, that we lost several hundred men without advancing a foot of ground, whilst no attempt was made, either to turn the hill by its more accessible flanks, or to move on Astigarraga.

Thus the day was spent without any result but a serious loss, and every one asked "what had been the object proposed in such an affair?"—The weather set in the next day very cold and wet, and it was found necessary to quarter the troops as much as possible under cover, for they suffered severely in bivouac. On the 12th, a bridge* was thrown across the river under Ametza, and the village of Loyola occupied, as well as the neighbouring heights which run down in a connected range from the hill of Oriamendi. On the 14th, the position was extended as far as the cross-ridge marked D, in the plan, which runs nearly parallel to the position of Oriamendi, and the farm-house and garden, called Aguirre, at the intersection of the two ridges of ground, were fortified as a redoubt. The enemy still held his advanced posts on the high road.

On the 15th, (news having already arrived of Sarsfield having moved from Pampeluna, and Espartero being at Durango), it was resolved without more delay to attack the enemy in the position of Oriamendi, and by one o'clock in the afternoon, the troops were all concentrated in the position marked D, D, on the plan. The whole

* The sappers and miners of the Legion under Captain Hornbrook, had now attained to such perfection, that nothing could exceed the style in which these bridges were thrown in the most difficult circumstances, rivaling at least any thing that could be done in England.

of the artillery (with the exception* of the rocket troop, and four mountain howitzers attached to General Chichester on the left) being on the high road, the royal marines and fifth division on the right, the 6th and 7th regiment of the Legion under General Godfrey, detached at a large farm house on a hill in the centre, together with the chapelgorris; the rest of the force, consisting of six battalions of English, and five and a half of Spanish troops being concentrated in the position taken up the preceding evening, to turn the right of the enemy "en masse," and force him to abandon his position, covering Ernani.

This movement was based on correct principles, and notwithstanding the strength and inaccessible steepness of the enemy's position, it succeeded completely; and after some obstinate fighting and great difficulty in passing the deep woody valleys which intervened between our left and the enemy, the whole position was at sunset in the possession of General Evans, who thus found himself, at length, and after great sacrifices and loss of time, in a situation which he might have occupied as a natural consequence of the victory of the 5th May, the year before.† The fifth division bivouacked on the plateau on the right of the road, overlooking Ernani, and the remainder of the troops on the left of the Venta hill in the position occupied by the enemy in the morning. Thus after six days of severe privations in the worst weather possible, the enemy had been attacked and forced in a position which it had been imagined was impregnable to the same

* Lieutenant Warburton, Royal Artillery, and 12 men wounded.

† We mean only as far as the military position is concerned. We do not say that he had not political or other reasons for what he did.

troops when fresh and anxious to engage, and before they had seen their ranks thinned from day to day by the bullets from an unseen enemy, and the casualties incidental to campaigning in wet and cold weather, in fact, when they were numerically superior by a fifth part, to what they were at present. Colonel De Lancey, one of the best officers in the service had been killed in the attack at the head of his regiment, (the first,) which had among others suffered severely in carrying the formidable positions which they so dauntlessly assaulted.

The sun rose on the 16th in unclouded splendour, and the troops augured nothing but victory. They had at length arrived at the point so anxiously desired, and stood victorious, and prepared for fresh toils and hardships, if necessary; and, judging from appearances, one would have said they were in a position to defy the whole power of the Carlists if brought against them. The right was formed in contiguous close columns of battalions, on the commanding plateau which overlooks Ernani and the deep woody valleys which encompass Santa Barbara, and stretch away towards Lasarte and the Orrio.

The Royal Marines and Artillery were formed on the high road, which afforded a safe and direct communication, by the shortest line, to the forts on the heights of Puyo, and to St. Sebastian; being lined on each side with houses and walled gardens, and secured from attack by deep ravines and valleys. The conical hill of Oriamendi, crowned by its redoubt, formed an impregnable citadel to cover this communication, and serve as a pivot for future operations. The left was strongly posted on a ridge, which extends about a mile, strengthened by two natural hillocks, and terminating

in a crotchet on the left; the whole being covered with beech trees, which would immediately form an impassable barrier, if felled; and further strengthened by a large farm house, called Aramburu, at the extremity, capable of forming a small citadel, if speedily entrenched.

It only remained to choose between two measures: "Either to await in the present position for further news of Espartero and Sarsfield, previously to risking the chance of an encounter with the whole Carlist force, and to improve by every artificial means the natural obstacles which the ground afforded; or else, without losing one moment, to seize Ernani and Santa Barbara, in order to prevent the approach of the enemy, in case he should be set at liberty by the inactivity of the Spanish Generals;" an event by no means unlikely, and which, in fact, did actually occur, as we shall presently see. The latter alternative, under existing circumstances, and after what the troops had undergone, was certainly a hazardous one; but if it had been adopted wholly and without delay, it might have succeeded, and in an hour after daylight the heights of Santa Barbara would have been in our power.*

But a middle course, as usual, seems to have been pursued. General Jauregui† led the fifth division across the intervening valleys, towards Santa Barbara, but not, perhaps, understanding what course had been determined on, instead of seizing the heights, he suffered himself to be amused by a parcel of guerillas, who continued to

* See note from a Carlist account inserted in Appendix.

† Jauregui is as brave and sagacious an old officer as there is in the world, and has been infamously used in being superseded!

skirmish with him at a distance till the opportunity was lost.

The Legion was in a manner dislocated, and neither placed in a position of attack nor defence ; whilst the division of Vanguardia, forming the left, was extended along a lower ridge of ground, which stretches away to the bridge of Astigarraga, on the left ; so that, in fact, the ground now covered by ten thousand men, allowing for the absentees and casualties of the moment, after seven days' fighting and fatigues, was as much as thirty thousand men could have occupied. And after all, the bridge, which was rather in rear of the left, was not occupied at all,* and the enemy speedily reinforced it in such a manner that it would not have been an easy matter to take it after an hour had elapsed. Added to which, many of the soldiers were fasting for twenty-four hours, and had had no time to cook or refresh themselves, after all their fatigues of the preceding evening.

If we reflect for a moment we must allow that it would have been safer not to move, and to have remained in the strong position which the troops held at sunrise.

In this ill-starred moment up comes Villareal with his reserves, accompanied by Don Sebastian in person. He sees at a glance the mistake into which his adversaries had fallen, and like the gathering thunder-clouds in a summer's day, dusky masses of troops are observed accumulating round Ernani, in which an unusual bustle and confusion clearly indicate some change in the position of affairs. At the same time three or four battalions are seen striding in haste across the long low wooden bridge, which crosses the river from Ernani towards the hill of Santiago, and in almost less

* Jauregui declared he had forewarned of this dangerous point.

time than one could follow them with the eye they are threatening our left flank from Astigarraga and evidently preparing to march across the bridge, from which, as well as the adjoining houses and garden walls, an incessant rattle of musquetry proclaimed that a crisis was at hand.—Not a moment was to be lost, for it was evident that the storm was about to burst, and equally evident was the faulty position of the left wing.

It must have been by this time, verging on noon, when General Evans, who cannot of course have guessed the whole truth, nor have imagined that he had been so shamefully left to deal single-handed with the whole power of the enemy, moved the 1st regiment of the Legion down into the defile which leads to the bridge, part of them occupying a house which stands at the entrance of it, about 200 yards from the bridge, and two companies being extended on the hill at the back, for it appears to have been still supposed that the enemy by this flank movement was only seeking to place himself in a defensive position on our left, in order to fall back on Yrun if necessary, and it was consequently not deemed necessary to throw back the whole of the battalions forming the left wing into the strong position of the morning, (marked in vermilion on the plan.) Had this been done, the enemy would have been most certainly repulsed with the severest loss in the event of attacking us ; for the position is really one of the most perfectly beautiful that can be conceived by the most fastidious judgment, and in every instance in which we had been attacked in a proper position the event had been uniformly favourable.

In this predicament, which the gods had no doubt decreed to humble the pride of presumptuous man, and

to cast us from the pinnacle of hope to the lowest depths of despair, the enemy commenced his attack, simultaneously on all points of our extended and weakened line, and it seems to have been so unexpected and sudden that the Spaniards were quite unprepared to meet it. The battalion of the Infante regiment, (which afterwards played the same trick at Andoain,) which was on the extreme left, immediately took to flight, and was followed by the one next to it, and this in turn by the others, who all began moving to their right, in order to place themselves in the position which their natural sagacity pointed out to them as not liable to be outflanked, and the 1st regiment was thus absolutely placed in such a position that they had no alternative but to retreat or to be cut to pieces individually, for they were incapacitated by the nature of the ground from rallying in the defile even if they had had time to do so. In a word, the whole of the left wing was routed, seized with a panic and beyond the power of man to save from disorder. The same thing happened on the right, where the “segundo ligero” regiment gave way in a similar manner, and abandoned their amiable colonel, wounded on the ground to the bayonets of the enemy. But here the disorder was quickly checked, for the reserves were at hand and the cavalry and artillery kept the road clear, so that order was quickly restored. The royal marine battalion also effectually secured this point from danger; and in the centre, the Scotch regiment of the Legion, the rifles and the Irish kept their ground, so that in point of fact, setting aside the *rather hasty manner* in which some of the Spanish regiments performed the manoeuvre, the position occupied was just what ought never to have been abandoned or departed from. The enemy did not seem pre-

pared to push his advantage, and indeed appeared rather astonished than otherwise, at the polite manner in which his countrymen made way for him, and with resolution, the position might have been maintained. But as it was now evident that Espartero and Sarsfield must have retreated, and left the whole force of the enemy at liberty to renew his attacks at leisure ; the General, therefore, probably considered it of little real consequence whether he kept possession of the Venta, or retired a mile behind it to his fortified lines of Ayete and Ametza, and the order was consequently given to withdraw from the heights. This was done deliberately and without the enemy making any serious demonstrations of pursuit—General Jauregui and the Scotch and rifles covering the retreat. The guns which had been taken in the redoubt on the hill, being too unwieldy to be removed, were spiked, and the whole of our own artillery safely withdrawn, and by dusk the whole corps was in the position it had occupied after taking Ametza, having lost, however, in all, 2412 men in killed wounded and scratched, for the Spaniards have a column in their returns for “contusos,” or contused wounds, which cases generally are cured without going to the hospital at all. The British, as usual, had borne rather more than their share in the toils of the past week, and the men were outrageous at the behaviour of the Spanish regiments, and swore they would never pull another trigger in the service—many valuable and gallant officers perished in endeavouring to remedy the confusion, and form the troops, but to very little purpose, as the panic once commenced spread like wildfire. It is difficult to say where the fault lay, and we do not pretend to set up our judgment in opposition to that of others who may have had better opportunities of ascertaining, but as we

happened to be on the spot, and occupied as a staff officer on that side of the Venta hill the whole day, we may perhaps be allowed to state it as it appeared to our own eyes at the time, which we have done. We were the person who carried the order to Captain Bassett of the Royal Artillery* to move two mountain howitzers, so as to bear on the defile in question, and remarked to him at the time, as he may recollect, in the following words. “The
 “ only thing which we have to counterbalance the miseries
 “ of this *dog’s life*, (as old Frederick called campaigning)
 “ is to see now and then a *really good and scientific ma-*
 “ *nœuvre*, and that which the enemy are now executing,
 “ is *one of those*. Do you see the force assembled on the
 “ side of the hill, and just behind the houses over the
 “ bridge? Mark my words, if they dont play us a trick
 “ *within this half hour*, and *mind how you place your guns*
 “ —old fellow !”† We then observed to General Evans,
 “ Have you seen that flank movement of the enemy, sir ?”
 To which he replied “ Yes, I am aware of it.” Having
 executed what we were commissioned to do, and set some
 sappers at work to level a piece of the hedge, so that the
 mules and howitzers might have a free passage, we re-
 turned to the top of the hill and spoke a minute to Colo-
 nel O’Connell, who was with his regiment. We re-
 marked to O’Connell that the whole power of the Carlists
 could not drive us from our present ground, meaning
 where his regiment was. His answer was “ Do you think
 so ?” We had been present at the time the 1st regiment
 were sent into the house opposite the bridge, and we now

* Captain Bassett was with the General, but we went to his lieutenant and brought the guns down to him.

† A common term of friendship well understood in the army, though the person addressed may be any thing but ancient.

saw the two companies extended on the hill just above it, and a very sharp fire was kept up, intermixed with the occasional roar of the artillery. We had scarcely turned our back on Colonel O'Connell and were having the saddle shifted to a fresh horse, when the servant said "the troops were running away." As not ten minutes had elapsed, we laughed at the idea, and galloped back to see what had given rise to such an odd remark, when sure enough we found it true, and as if by magic the throng was all setting up the hills. To endeavour to rally the fugitives was now our occupation, and it was heart-breaking work, for threats, prayers, and entreaties were alike in vain. The men shewed their empty pouches and their blackened mouths, and Spanish and English were so intermixed, that there was no forming them. The next best thing was to order them to form on the high road in rear of the Venta, and the rifles under Colonel Fortescue, lined the hedges, and along with the Irish under Fitz Gerald and O'Connell, kept the position. The Spaniards formed again in rear of the Venta, but the English had got very sulky and intractable, and complained that they had been sacrificed the day before and that day by the Spaniards, and that they would have nothing more to do with them.

Time passes in an unaccountable manner in action, and we cannot say what period elapsed during the events we have related. It must have been two hours we should think, and the confusion had nearly ceased, but we read disappointment and wounded pride in every one's face. We were desired to go and remove the spare ammunition out of the house at Aramburu, but the enemy already surrounded it, and we could not get there. We recollect meeting Colonel de La Saussaie with two balls in his

horse's neck, which was just fainting, and begged him to go to the rear.—We must here remark, that what was said of the Royal Marines covering the retreat, and saving the Legion from destruction, was as false as any thing could be, for we saw them march to the rear, after having done their duty *as British soldiers ought to do*, but certainly not covering the retreat, because it had not commenced at that time.* Lord John Hay says, in his Letter to the Admiralty, “Having rendered all the service they were capable of, I directed Colonel Owen to march his battalion to the rear, leaving the Queen’s generals in a position to remain where they were, or to retreat at their own option ; and some time after I observed them retiring from the position.” This we presume is conclusive on the subject. As to any blame attaching to the General, in extending over too wide a field, we do not pretend to decide on it ; but, as far as we observed them, we relate facts as we saw them. If we are to judge of his feelings by our own, we wish no enemy of ours a more bitter potion than that which we that day swallowed. It was a day which a thousand years would not efface from our recollection. Mortification, rage, vexation, bitter, bitter, bitter annihilation to all our hopes, in the moment of fulfilment ! And yet, when we thought of the masterly manner in which Villareal had seen at a glance how to act, (for we believe *he* was the adviser that day of Don Sebastian,) we could have adored him as a god, or a second Napoleon. Though we had been *annihilated* by him, he had done it in such a masterly style that we could have kissed the

* We do not mean to deny that their very presence on the ground as a reserve, was sufficient to give confidence to us and check any ill-timed zeal in the enemy.

hand that chastised us. We could now have some idea of the enthusiastic feeling of the French soldiers for Napoleon, or of the British for Wellington. And then the sight of mangled corpses, and bleeding, wounded wretches, and the horrid cruelty of the brutal enemy to the prisoners and wounded who fell into their hands! Buried alive together, living and dead! Our sleep was haunted by the idea, and we could scarcely analyze the feelings which came over us as we lay that night in our comfortable quarter in St. Sebastian; and thought, that in addition to all the mortification of soul, how much more bitter those poor fellows must feel who had lost a limb into the bargain. It was some days ere people ventured to shew their faces again; and many a silent tear we have seen standing in the eyes of some of the spectators of that day's drama, as we recalled what had happened.

However, a truly great mind shews itself most in adversity. All was not lost, though we knew what a blow it must give to the Queen's cause; but when we heard that Sarsfield had turned back on account of the snow, and Espartero had retreated from Durango, instead of meeting us at least on the coast about Elgoibar or Aspetia, which is only just behind Guetaria, and scarcely out of hearing of our guns, after having had his advanced guard at Elorrio; we rose suddenly up to the boiling point in our own esteem again. We at least had fought hard in the cause which he had been sleeping over, and he had sacrificed General Evans in the most unwarrantable manner. Any further criticism after that would be unmanly on our part, for the least among our acts was that of a hero compared to the apathy exhibited on the part of the Queen's generals. All hands immediately set about repairing damages, and in a short time we had obliterated

hl traces of the late disaster. The pontoon bridge, which had been cut away in the hurry, lest the garrisons on Ametza and in the Queen's battery, should be alarmed at the retreat, and abandon those important points, was hauled up on the glacis and repaired preparatory to a fresh campaign. The Legion was condensed into six battalions, and daily drills and exercise contributed, with the returning fine weather, to give fresh confidence to the troops. The Spanish battalions, who had been the most active in the retreat, were now calling aloud to be led against the enemy, to wipe out the stain on their honour ; and the artillery and cavalry had never for a moment failed in their duty. The poor Chapelgorris, after having been first decimated by Espartero at Vitoria, and having suffered severely in every engagement since, alike undaunted in disaster and unrewarded in victory, were now reduced from 1,200 to about 250 men, but all only eager for the field. Nor were the enemy idle ; for, day after day, we saw new intrenchments arise and parapet on parapet flanking every possible avenue to the position we had so generously given up. In the course of a month, a regular entrenched camp, beautifully executed, and flanked by numerous batteries on the most commanding points, bade defiance to every idea of attacking on that side. However we knew they could not fortify the whole country, and if we could not turn them by Astigarraga, Lasarte and the valley of the Orrio were open to us, and we promised ourselves a revenge for the trick of Villareal.

*Without entering into the early history of the war

* This was printed in the United Service Journal for last June. The events of the last year have fully verified our prediction at that time.

which has been most ably detailed in the “*Essai sur les provinces Basques et sur la guerre dont elles sont le théâtre*,” we will just cast a glance at the present position (that is in March, 1837, after the affair of Or^{re} mendi just detailed) of the contending armies, and endeavour to discover their probable course, or, at least, that which they ought to adopt.* The distance from St. Sebastian to Bilbao is about 16 Spanish leagues of $26\frac{1}{2}$ to a degree of the equator, or 47th English miles; and from Bilbao to Vitoria is only 12 leagues, or 34 miles. From St. Sebastian to Pampeluna is the same distance, in a straight line, as to Bilbao, and from Pampeluna to Vitoria is 21 leagues, but the direct communication between all these three latter places being totally interrupted, they cannot enter into any combination together, at least as far as regards offensive operations. At Bilbao we have† Espartero with five and twenty thousand men, and General Evans occupies the lines of St. Sebastian with fourteen thousand (diminished to twelve, however, by the last week’s work), whilst Sarsfield‡ is at Pampeluna with about the same force. The total of these three corps scarcely amounts to more than fifty thousand men, and the enemy occupies the country which lies between all three of them, with a moveable force of thirty-five thousand men, having the advantage of direct communications, and being natives of the soil, and fighting on their own ground. He is consequently superior to every one of the corps opposed to him individually, and whilst General Evans can only communicate with Espartero

* See Map of Dufour. Paris, 5 francs.

† This was in March, 1837.

‡ Afterwards murdered.

by a stormy and tempestuous sea, which often renders it impracticable for days together, and with Sarsfield by going to France, and then crossing the Pyrenees choaked at h snow, the enemy can move from one extremity of hau coast to the other in eight hours, and the head quar-fres being in the centre, can withdraw troops from one batt in the evening, and concentrate them at the other the ore morning, for they are unencumbered with baggage tr artillery. Each man carries his musquet and ammunition, and every peasant and baggage animal in the country is at their disposal to supply them from the nearest depot.

On the impracticability of forming a junction of these three corps in the heart of an enemy's country, we presume it is superfluous to dilate, for the moment Sarsfield endeavours to pass the defiles of Lecumberri he is overwhelmed by superior forces, or at all events opposed by numbers sufficient to impede his advance in such a difficult country. Evans no sooner advances to Ernani than he has the whole hostile body swarming around him; and even supposing him to hold Ernani and Santa Barbara, he must also have strong entrenched posts at Oriamendi to keep up his communication with St. Sebastian, and a moveable reserve in case of an attack.

The slightest check experienced by either of these two corps sets the enemy's whole force at liberty to fall on Espartero, and even if he had the genius of a Napoleon, and were placed in the false position he is in, he might struggle in vain to extricate himself from the net in which he becomes entangled if he ventures to leave a defile unoccupied in his rear. If Villareal had turned

back with his whole force the moment he had seen General Evans safe into St. Sebastian, and even as late as the 18th had attacked Espartero at Durango in front, flank and rear, as he perhaps might have done, having the defiles of Galdacano in his power, it is possible that not a man would have escaped to Bilbao. It must be clear then to every one, who will be at the pains to consider the subject coolly and dispassionately, that one of three things must be done. Either Espartero must unite with Evans by sea at St. Sebastian, leaving a garrison of five thousand men at Bilbao, in order to march immediately on Tolosa; or Evans must unite with Espartero at Bilbao, leaving garrisons in St. Sebastian and Passages; or thirdly, the two must move by circuitous routes and return to their old ground at Pampeluna and Vitoria, which, in fact, is the true base of operations, considered in a military point of view.

The first of these plans offers numerous objections, and offers no advantages which may not be gained by adopting the second. The second presents the only prospect of a speedy and successful termination of the war in the Basque provinces. The third is not to be thought of, and, in fact, is a natural consequence of the second, and follows out of it, subsequently to the occupation of Tolosa, as we shall endeavour to show.

By uniting a considerable force at Bilbao the greatest number of troops becomes disposable for the field, as St. Sebastian, including the forts at Puyo and Ayete, or the Windmill battery, with the redoubt at Lugaris may be safely held by a thousand good troops.

Passages, being now fortified, may be held by six or seven hundred men, or, in fact, by the navy and marines

alone as a naval station, and if the land communication is to be preserved, (which it should be,) another thousand men will be required to garrison Alza and the intermediate forts and Tete de Pont, so that ten out of the twelve thousand men become disposable for the field. But by withdrawing superfluous troops from other points, fifty thousand men might easily be concentrated at Bilbao, and thus have at once a decided superiority over the enemy, every other point remaining guarded as at present.

By opening the campaign with such an army it is a matter of course that Durango is immediately reoccupied and the communication opened to Vitoria, the necessary points being immediately fortified and provided with sufficient garrisons to protect them in the event of being attacked by straggling bands of insurgents.

The flanks being in this manner secured, we have a fair base of operations with Bilbao and Vitoria on either hand as depôts. All the small places, such as Bermeo, Lequeitio, Plencia, &c. must be immediately forced to submit, and the principal inhabitants, alcaldes, &c. made responsible for the future good conduct and submission of the people; and there is no doubt that the moment they are protected by the Government, and freed from the yoke that now presses upon them, the peasantry will be glad to return to their homes and resume their usual occupations.

Biscay being thus submitted the army is at liberty either to follow up the enemy, if he retires to Navarre, or to move by the high roads to Vitoria, or in any direction, and Tolosa, Ernani, Bergara, Villafranca, Yrun, &c., are occupied. The enemy will no sooner find

the effects of a rational plan of proceeding than he will abandon the provinces, and remove the war into Navarre.

The above is the substance of the plan insisted on in March, 1837, by us in a memoir which was sent to England, immediately after the catastrophe at Ernani, and published with other remarks which are now no longer interesting, except as showing that we took a correct view of the case. What actually happened, we shall now relate in few words. From circumstances which were perhaps unavoidable, one of which was the near approach of the expiration of the service of the Legion and another the inability of the Spanish Government to pay their arrears, and consequently the certainty that the greater part of the men would no longer serve, together with the motives which bound the British to the fleet and their loyal supporters of the navy and marines, it was deemed necessary that the military question should be again so far warped from the right line as to concentrate all the force that could be mustered in St. Sebastian and the neighbourhood. In consequence of this determination, Espartero came with his twenty thousand men or more, as fast as they could be shipped off in steamers, and by the end of April, a beautiful corps of forty-five battalions of English and Spanish troops, with artillery and some cavalry, was ready to take the field. After some days spent in reconnoitring and riding about and reviewing, it was hourly expected that a move would take place. On the 3rd of May, the bridge was again thrown over the river, and the village of Loyola and the position of the 14th March re-occupied. The enemy had now several heavy guns to bear on us, and gave us "tit for tat" at the redoubt of Aguirre, so that

we were fain to make our parapets thick enough to resist a twenty-four pound ball, of which the enemy threw in from time to time a tolerable sprinkling. On the 6th he made a formidable attack on this point, with the flank companies of all the battalions in our front, forming a body of two thousand picked troops who hoped to seize our artillery by a rush at daylight. But we were not to be caught again so easily, and the "segundo ligeros," who were on duty in the redoubt, behaved in the bravest manner, and never yielded an inch, though the house was nearly battered to the ground by a battery at four hundred yards off, and the colonel killed in the tambour. Seven and twenty cannon shot were collected in the house alone, and many more passed through. The attack was repulsed with great slaughter to the assailants, and some loss on our part, but nothing in comparison. As it was evident to the enemy that he could not hold out, and that his flank must be turned by such a force as we now had, he resolved to abandon the province altogether, and accordingly on the morning of the 12th at daylight an extraordinary silence prevailed. The spies soon brought word that the enemy had retired during the night, and that the guns were just gone through Ernani, on their way to Tolosa. A battalion or two was left in observation. What was done on this intelligence? will naturally be asked. Of course the whole army was instantly under arms in pursuit of the enemy!* No such thing. The whole of that day nothing was done at all, but a reconnoissance was pushed up to the Venta, and the enemy's position was found almost deserted and the

* Espartero was now the commander, Evans being junior to him.

artillery gone. The next day nothing was done, but great preparations were made, and the communications all inspected, and the bridge removed higher up the river.*

On the morning of the 14th, which was Sunday, and dreadful weather, the troops were under arms, and advanced in due order to the attack. The English were on the right, and the whole army formed a beautiful sight, covering the country all the way from Lugaris to Aguirre, and moving by the several roads to the points allotted them. The position of the Venta being turned as before, but without serious loss, this time, the army moved on to Ernani which was also occupied with Santa Barbara and Astigarraga, and the advanced guard pushed on to Urnieta. The enemy had however left six or seven battalions of the troops of the Province, who disputed obstinately every inch of ground, and the fellows would *not* leave their positions without giving a final volley at each, by which we lost during the day, we believe, upwards of 100 men. An officer of Lancers lost his arm by one of these chance shots as he was following the enemy out of Ernani, which they held as long as they could, and did the same at Urnieta. The next day was taken up in reconnoitring and deciding on what was to be done.—Large working parties were set to fortifying.—On Tuesday the 16th, Evans's corps was sent to take possession of Oyarzun, Yrun, and Fontarabia, Espartero remaining at Ernani in observation. We reached Oyarzun by seven or eight o'clock. The enemy not being in great force did not make any defence; being turned by Jauregui, they abandoned the

* In God's name! why not march by the high-road, when it was open?

town, and the women opened the gates. It was very well fortified as a post, and had a beautiful fortified barrack outside the gate. Sentries were posted to prevent a single straggler from entering the houses, and the march of the troops through the picturesque little town was one of the most orderly and beautiful things we ever saw. A Spanish garrison was left there, and strict orders given to protect property. We arrived within cannon shot of the fort of Yrun about 11 o'clock in the day, and they immediately shewed us they did not intend to give up their post. The place was quickly invested quite round to the Bidassoa, and the four twelve pounders (iron guns), and four field pieces (only six pounders and field howitzers), placed in battery. No works were required, but the embrasures were cut through the hedges.—The enemy kept up a cool and deliberate fire from the fort, killing whoever shewed himself, and disabling one of our 12 pounders.* They refused all offers of terms, and declared that the King, Don Carlos, had promised to relieve them, and we must know they were too good soldiers to surrender till they were forced. By two o'clock our guns opened, and we threw in such a fire of shot, shells and rockets, that one would have said no living creature could hold out ten minutes. The fort was constructed in such a manner, that the roofs of the barracks, which ran all round it, projected over the parapets which were hollow between the embrasures, so that every shot went through and through, and dashed the tiles, timbers and stones, into

* Mr. Hornbrook, marine painter to the Queen, was standing on the parapet when a 24lb. shot buried itself at his feet. He has executed some beautiful views of these actions.

the air at every round. After an hour's firing, (their flag was cut away by our *first* shot from Lt. Hampton's gun), out of pure humanity they were summoned again, and told they had no hope of relief, and the best terms were offered. All in vain. They said they were too anxious for our good opinion to give up till forced. With regret we renewed the cannonade and kept it up till dark : how any thing could live in such a place is only astonishing. Napoleon would have hanged a man for *daring* to hold out such a place. During the night the guns were withdrawn, ready to move round against the town in the morning, and the fort was to be taken by storm, for it must be knocked to pieces already by the firing. At day light the gate of the town next to the French frontier, was battered in, by a twelve-pounder placed in a house during the night, and an entry was made at the other side of the town also by means of a ladder, and the gate opened. But they had barricades one within another, and disputed the town inch by inch, falling back at last into the town-hall, a very strong building intrenched and loop-holed, and commanding the square and principal gate. We had lost several men and officers, the enemy having on one occasion held out a white cloth, and when the officer ran out to talk to them, thinking it was a flag of truce, they shot him dead. This was Major Macduff of the Marines, of the Isabella steamer, a brave and good officer. The dispatch of that occasion enumerates all those who distinguished themselves, or were killed, or wounded. At length the enemy having fought like wild cats and done us all the harm they could, and seeing the doors of the town-hall must be forced, agreed to capitulate on their lives being spared. Near 400 prisoners laid down their

arms. The fort was also obliged to surrender, though the commandant seemed determined to stand the assault, merely for the sake of being butchered, as he knew he must be taken in a paltry work of the kind which was knocked about his ears the night before. He was a most forbidding looking vulgar fellow, with one eye, and had caused eleven English prisoners to be shot the year before. A splinter of a shell had cut away the seat of his pantaloons, a near escape for him!

Fontarabia being invested the same afternoon, was induced to capitulate the next day, when the garrison found their lives would be spared, which they would not believe, till we allowed two officers to go to Yrun, and see the prisoners in the town-hall. We found it a very strong place of the kind, and it would have cost us 200 or 300 men to take it. But as we suspected, the gate opening on to the sea beach, where the fishing boats lay, was "the weak place." There any one might have got in, and the year before it had not been near so well intrenched, as they had worked incessantly at it ever since, and had now eight guns mounted. The fort at Yrun also mounted eight guns, and to our astonishment, the garrison of it had only eight men killed, and seventeen wounded, but they had been obliged to lie down close to the parapets during the cannonade. The counterscarp having hid the revetment of the work, we found nothing but the upper part of the parapet injured, and the roofs of course demolished. With respect to the town of Yrun, it had been abandoned by the inhabitants, and as it was actually taken by assault, and the very town house even defended to the last, it was perfectly impossible to avoid its being plundered, though in point of fact, there was very little to take, except a little common furniture, and

bedding, &c. in some of the houses which had served as quarters for the officers. The soldiers of course destroyed all they could not carry off, and even smashed all the bottles in the apothecary's shop, and most of the windows out of mischief, and the officers fared ill in consequence. A stop was put to the disorder in less than an hour, and the very troops who had taken the place by assault, and who had seen many of their comrades wilfully shot by a parcel of ruffians who chose to despise the usages of war in every respect, now fell in to their colours, and marched out with the bands playing, in perfect order, a Spanish garrison being left in the town. So much for the falsehoods which were industriously circulated at the time by a portion of the English press, and greedily swallowed by a gulled and deluded public. We repeat it, never did soldiers behave better in the field or with more humanity to an enemy than the abused and insulted Legion, now basely abandoned and denied their just and lawful dues by the Government who sanctioned and promoted their enlistment.

The number of prisoners taken in Yrun and Fontarabia amounted to upwards of 800, mostly Navarrese, among them several very good officers. The Commandant of Fontarabia especially was a gentlemanlike and well-informed person, and greatly superior to the rest of them. Not a single article was taken from any one of the prisoners, the officers even being allowed to sell their horses. Those at Yrun having left their baggage in their quarters, it was of course unavoidably lost, but that was their own fault. The privates retained their knapsacks, in which many of them had money, which they themselves had plundered from the townspeople before the assault. Yrun and Fontarabia were provided with sufficient garrisons to

put them in a good state of repair, and several new works were traced out to occupy some commanding points which had been neglected. The Royal Artillery took charge of Fontarabia ; and new English ordnance were put into the fort at Yrun, which was also put in repair. These arrangements delayed us very unavoidably till the 21st, when we returned with our trophies and prisoners to St. Sebastian. The Legion to be shortly disbanded, the prisoners to be immediately exchanged. The officers drew up a faithful statement to their King, of the handsome manner in which they had been treated by the British, and begging that in future the laws of war might be observed, and their prisoners no longer put to death. The answer to this appeal was reserved till the affair at Andoain in the September following, when about 250 British officers and soldiers (being surrounded and compelled to surrender in the church, where they had been *basely and dishonourably* abandoned* by their Spanish allies, and the very same battalion of the Infante regiment which ran away in March), were *butchered in cold blood* by the orders of Don Carlos and his *legitimate* defenders.

All this time, however, whilst we have been digressing to Yrun and Fontarabia, the bulk of the Carlist army has had nine days start to move into Arragon, and for fear that should not be sufficient, Espartero generously waited ten days more, until the 29th of May, when he put himself in motion to follow their footsteps. But they had profited by the time allowed them to overpower the corps opposed to them at Barbastro, and the brave Iribarren

* O'Donnell could not do more than he did, but his troops behaved infamously. The fault is, want of good officers or good discipline.

had fallen a sacrifice to the same system which had cost us so dear on a previous occasion, and which will always entail the same results whenever it is acted on. The march even from Ernani to the heights above Andoain was not undisputed, and General Gurrea, one of the best officers in the Spanish army, was killed there in passing a defile under the fire of a parapet on the other side of the Orrio. It does not enter into our plan to follow the Spanish army in its summer campaign. We return to our own affairs. The Legion had accompanied Espartero to Andoain, and seeing him safe over the mountains on his way to Lecumberri, we returned to our cantonments in Ernani and Oriamendi. The month of June rapidly approached, and various were the feelings which agitated the breasts of the officers as they reflected on the approaching dissolution of the corps in which they had, side by side, weathered so many hardships, and escaped so many dangers, both of disease and the sword of the enemy. It was calculated, from official documents we believe, that 15,000 men had been enlisted for the Legion, of which number 5,000 now remained fit for duty. Fatigues, unheard of deprivations of all kinds, fever, and the sword, or at least the bullets of the enemy, had in two short years annihilated so many. Seventy officers nearly had perished of fever at Vitoria, and 150 at least had been either killed or wounded since the 5th of May preceding. Some had gone home sick and disgusted. The remnant, "tried in the fire," inured to hardships, difficulties, and dangers, "having braved alike the battle and the breeze," neither cast down in adversity, nor subdued by misfortunes, certainly unmerited, bound to each other by a thousand ties, which those alone can feel who have together weathered such storms,

--were now to be scattered to the four winds of heaven ; many of them without a home to go to, having dissipated the little they had possessed, and missed, perhaps, opportunities of entering on a more secure and safe occupation. And, in addition to all this, with scarce a ray of hope, that the scanty and well-earned reward which had been solemnly and sacredly promised them by the Government, in whose service they had endured so much, would be paid, and which, morally, and in the face of God and man, was guaranteed in the sanction given by their own Monarch, whose act encouraged them to enlist in the service of his allies ; for which their Commander had pledged his word and his signature that *at least* he would stand by them to demand. This paltry pittance, we say, neither paid nor even secured by any document on which they could, at a moment of need, even borrow the amount. Incredible degradation ! Proud, haughty England ! who had sent forth your sons to fight in the ranks of your ally, and who had sent forth your navies and Royal land and marine forces to assist them, can your Legislators no longer demand at the hands of the Executive Government that protection which the meanest citizen has a right to expect, and for which the very air he breathes is taxed to pay ? Of what use are all your boasted trophies, and the remembrance of so many glorious conflicts in defence of national honour and national interest, when you suffer your children to be the laughing-stock of a bankrupt and vacillating Government, which can promise and fawn in the hour of need, and then insolently turn from their shores, at the point of the bayonet—that bayonet which they dare not use against their enemies—the deceived and insulted victims of their perfidy ? And he, the Commander, who had sworn to see them righted, and who is

in honour bound to redeem his plighted word ;—he, the man who owes protection to those who stood by him in the hour of need, and who refrained from reproaching him with the ruin which, perhaps, his foresight might have averted ;—*he* now fosters disunion* among them, and then seeks to profit by it, whilst he takes the part of the cold and calculating politicians, who, as long as they are rolling in luxury, feel no sympathy for men whose very glance would perhaps make them quiver under different circumstances.

These reflections involuntarily arise when we think of the manner in which a corps of officers and men have been treated, who were inferior to no equal force in the British army, if fairly dealt by ; and many of whom (those at least who could pay for it) are now actually reinstated in the ranks of the army ; whilst the remainder, equally deserving, though less fortunate, are allowed to wither in obscurity, and waste their efforts in vain, whilst they endeavour to urge their just and lawful claims on the Government for redress.

We shall, in as few words as possible, state the facts which we ourselves were witness to, and speedily conclude by suggesting such ideas as present themselves to us on the subject.

The day of separation, as we have said, rapidly approached, and conjecture was busy, as usual, with the probable fate of the Legion. A grand entertainment was given by all the officers to General Evans ; and Lord John Hay, Colonel Wylde, and the principal authorities were invited to meet him. Enthusiasm was at its height, and the warmest feelings of regret were expressed

* See Appendix.

on all sides, mingled with the handsomest testimony of Lord John Hay and Colonel Owen in particular, who expressed their sincerest sympathy with our welfare. After dinner, General Chichester* presented a paper to General Evans, containing a list of nearly every officer there present, who in testimony of respect to their late commander, had voted him a piece of plate in commemoration of their expression of it on the present occasion. The General in return solemnly pledged himself, that wherever he might be, his first duty should be to see justice done to his faithful followers, "who had thus to the last stood by him and their colours," and he assured them, that though he regretted that circumstances obliged him to return, his best exertions should not be wanting "both in Parliament and out of it," to assert their just claims on the Government. The next day the troops gave up their arms, but no preparations had been made for embarking such as chose to avail themselves of the permission to return. The men, it is true, were paid up to the 10th of June, and as the Government was unable to give them the promised gratuity, they were furnished with certificates of the sum due to each man. But for the officers, no money was forthcoming, and they had to wait week after week in hopes of getting enough to take them home. In the mean time, the engagement of such as chose to remain in the service under the denomination of the "New Legion" went on but slowly. The men had been heartily disgusted with the service, for it had only been by the greatest exertions that even their settlement of regimental pay was finally extorted, and they were unwilling to enter into a new engagement until the old was fulfilled.

* Chichester ! noble, gallant, loyal, brave !

The officers were in general desirous of remaining in the service, but of course only on condition of having their old arrears settled. Colonel Wylde, as commissioner from the English Government, took the greatest interest in raising the new Legion, and even became personally responsible for a considerable sum advanced by the merchants towards the bounty of those men who re-enlisted. But not above 8 or 900 could be prevailed on by the temptation of five dollars in cash, and the usual promises of abundance and plenty in future, to re-engage. The remainder were too wary to be caught, and distrusted the appearance of affairs too much, to have any thing to say to it.

At a general meeting of all the officers, at which Brigadier-General Fitz-Gerald was in the chair, Colonel Wylde was called on to state what were the prospects of settlement, and what security the officers had that they should not be turned out naked and unsettled with on the world. He said, as nearly as we can recollect in the following words, "that he stood before the officers not only as a commissioner of her Catholic Majesty, but also as a *British Commissioner*," laying an emphasis on the words, and "that *there could not be a doubt* that every officer was entitled to his billet, rations, and pay* up to the day he should be finally settled with. That he held in his hand letters from Mr. Villiers, the ambassador at Madrid, in which he stated that he entertained the most confident expectations that every thing would be fully and honourably settled, and that a sum of money sufficient to give every officer three months' pay, was actually on its way to St. Sebastian. The remainder of arrears of pay and gratuities should be settled by bills

“payable in London.” He went on to state that “he would renounce all connection with the Spanish Government if they could act so basely as to deceive the officers and him at that period, and that if, by the 30th of June, every thing was not finally settled, General O’Connell should consider his engagement with the new Legion as null and void, and send in his resignation to the Commissioners,” (Wylde and Tena).—Much more passed to the same purpose, and the meeting separated, fully satisfied at least that in Colonel Wylde and the British Government they *could not be deceived*. The 30th of June arrived, but no settlement.—O’Connell kept his pledge and sent in his resignation, but as hopes were still held out of the “lame messenger”* arriving with the promised settlement, he was requested to continue the services of the Legion. Finally, to make a long story short, we were all deceived as before. Some money came, but by much finessing and screwing, it scarcely sufficed to give three months’ pay according to the rank held on the preceding 1st of January instead of 10th June, (many had been since promoted in room of others killed, or as rewards for distinguished conduct in the field) but with this we were even glad to get *something* for the moment. Colonel Wylde again assembled all the officers, and told them that he regretted to say the Government could not do any thing for us, and that circumstances rendered it advisable that as many as possible of the officers should find their way home, for which purpose they should “*be credited with nine pounds,*” in addition to the long arrear due. In this *creditable* man-

* Colonel Wylde said the man who was coming was lame, and that made him delay!

ner were we dismissed, and he added, that wherever we might be, we should "be credited" with our pay up to the day of settlement. This was all very well for those who could live on "credit," especially such credit as they could get on such a tangible document, if presented at the Stock Exchange ; but what were the poor Infantry Captains and Subalterns to do who had all along been "roughing it," in the hope of being settled with at last. They had no alternative but to remain. "They could not dig ; to beg they were ashamed !" So they remained, and fought again at Andoain, and were again betrayed, abandoned by their dastardly allies and *butchered*, after having been forced to capitulate, having defended themselves to the last cartridge a whole day and night to give O'Donnell time to rescue them ! England, where is thy ancient spirit fled ? To what a pass has *expediency* reduced you ?

Evans, stand forth, stand forth *like a man*, if that you be a man ;—fling down the gauntlet, man, and *die* rather than forfeit your word, *solemnly given, and implicitly relied on* by your betrayed and abandoned comrades ! *Tell the truckling slaves, who would deny you justice, you despise* their base shuffling and prevaricating ! Tell them, "that the Government that repeals an existing law "to enable a particular force to go out for a particular "purpose, and supplies them with arms to carry their "intentions into effect, virtually sends out that force, and "no sophistry can prejudice this plain view of the question."* Tell them, moreover, they are again and again bound to see justice done to *you* and *your* comrades. *Identify yourself* with their cause, and don't hang back as

* Lord Carnarvon.

if you held your seat in Parliament at the will and pleasure of Lord this or Lord that. The *people of England* have seats enough for those who do their duty *fearlessly* and *honourably*, and they look to *things* not *words*. You say you do not think it *advisable* to moot the question ! Is *THAT* all the answer you can give ? When you had staked your fame on gaining a particular point which the enemy held intrenched *up to their eyes*, and asked your officers to take it, *they* did not stand to bargain with *you*, but they did their duty, honourably, and like soldiers, and trusted to you and the Government to do yours ! *Now do it !* Do it, and let the world see you are not ashamed !

J. H. HUMFREY.

APPENDIX.

COPY of a letter addressed to General Evans, on the 9th December, 1837, a *duplicate* of which was printed in "The Times" newspaper of the 15th, for the information of all whom it might concern.

To Lieutenant-General Evans, M.P.

SIR,

I HAVE the honour to address you on behalf of myself and other individuals of the late British Auxiliary Legion under your command, in order to request information on the subject of a settlement of our claims, and to inquire whether any steps have been taken, or are contemplated, by you, to bring the subject at once to a conclusion.

You cannot but be aware that to you we all look for redress and countenance in this matter, as you were the person who entered into the contract on behalf of the Legion at the commencement, and who stipulated the conditions of service on our part—stipulations which you are well aware we have honourably fulfilled, and which have been sealed with our own blood in defence of the cause of freedom.

I will only recall your promises on repeated occasions, and particularly on taking leave of us on the 9th of June, when *you solemnly assured us that you came to England in order to support our just claims more effectually than you could do by remaining in Spain*, and that you would not fail, in your place in Parliament, and as a member of the British Legislature, to vindicate us from the slanderous aspersions of party rancour and hatred.

I am aware of the correspondence which has passed between a Committee of Officers and Lord Palmerston, and that the first act of the said Committee was to invite you to put yourself at its head, and to suggest the best method of proceeding; but further than that I am not aware of any thing that has been done to the purpose; and unless you take the prominent part which you are called on to do, *and which we*

have a right to expect from you, it is evident that smooth words and evasive promises are all we are likely to get for our claims.

The settlement has been already too long delayed, and hundreds, ay thousands, are pining in want and sickening in obscurity, who might, if justly dealt by, be enabled to enter on a new career or course of employment, and become useful members of the community. Empty promises will not satisfy the hungry, nor clothe the naked, nor silence the cry of the widows and orphans, nor enable men who have lost their legs and arms to gain their bread. We have an undoubted right to look for redress to our own Government, which has the power to *enforce payment, or to make advances on such security as they alone have power to exact* ; and I therefore beg to suggest for your consideration the expediency of calling a meeting of such of the most influential and principal claimants as may be within reach of London ; and, on an early day, to consider of such speedy and energetic measures as may be deemed advisable, and which I am confident the whole body, both here and in Spain, will unanimously agree to. I reserve for that occasion the suggestion of the measures which occur to me as likely to conduce to the end in view ; and in the confident hope that you will give the affair your most earnest attention, I leave the prosecution of it in your hands, trusting that *we shall soon see some symptoms of activity in such a laudable undertaking.*

I must at the same time avail myself of the present occasion to express the conviction I have that you have always been actuated by the best feelings towards the individuals under your command, and to disclaim all animosity or hostility whatever. On the contrary, I, in common with all those who had the honour to be near you in circumstances of difficulty and danger, do not hesitate to express to you how sincerely we esteemed you, and how happy we should all have been had the period of our service extended further ; but when you gave up, it was evident the remnant would be bereft of their chief support ; and I need not advert to more recent events as a proof that an auxiliary force must possess within itself sufficient strength to stand alone in case of reverses, or at least so far as to be able to hold out in an isolated position until relief can arrive.

I have the honour to remain, Sir,

Your obedient humble servant,

London, Dec. 9.

J. H. HUMFREY.

To the above letter Lieutenant-General Evans did not think proper to reply; but he desired Captain Byrne to acquaint me that he would be glad to see me on the subject. We waited on the General, at the Athenæum club, where he entered at considerable length on the affair, and assured us he "was desirous of forwarding the settlement," but at the same time denied that he ought to take any active part in it. At our suggestion, he approved of a Committee being appointed, with Colonel Wetherall as chairman, who was pointed out by the unanimous voice of all the principal officers of the late Legion, as the fittest person for the office, both from his former appointment as Commandant in England, and having all the necessary documents in his possession, which might facilitate the object in view. In addition to this, his intimate acquaintance with all the affairs of the Legion rendered him the fittest person for the office. We waited day after day for the General's sanction in writing, which he seemed extremely loth to give; and, from his whole deportment on the subject, it appeared very clearly that he was in no hurry to bring the affair to a conclusion. At length, after waiting nearly a fortnight, Colonel Wetherall received a letter from him, approving of the names submitted to him, which were, besides the chairman, Colonel Claudius Shaw, the chairman of the former Committee; Lieutenant-Colonel Humfrey; Captains and Paymasters Byrne and Kymer. Colonel Shaw was with difficulty prevailed on: first alleging that he had *not time*; but on its being represented that by assenting he would prevent the possibility of disunion, and that he would thereby merge all former pretensions in one, he consented.

Two days afterwards he wrote to withdraw his name, giving either some very unimportant reason, or none at all. To me and Brigadier-General Le Merchant, he said that "as he was senior officer in the Legion to Colonel Wetherall he could not sit under him as Chair-man!" How this accords with his letter to the Editor of the "Morning Chronicle," in allusion to General Evans, I leave the reader to judge. (See his letter hereafter.)

I must observe, however, that at that time nothing had been done, or even any course of proceeding laid down; and his secession, followed by other circumstances which occurred at a meeting of certain claimants of the Legion, at which Colonel Shaw took the chair, and at which it was resolved to *draw up a petition to Parliament, and not to depend any longer on General Evans's assistance*, induced Colonel Wetherall to signify his extreme disgust, and to declare that he would

act no longer. Previously, however, *he authorized me*, in the presence of Brigadier-General Macdougall and Captain Byrne, to send the following letter and document to General Evans in his name ; being only prevented from doing so in person by going out of town with his father, Sir F. Wetherall, *whose carriage was then at the door of the U. S. Club, waiting for him.*

LETTER ENCLOSING THE DOCUMENT.

London, Dec. 28.

SIR,

I am requested by the officers composing the Committee, of which Colonel Wetherall is President, to transmit to you the enclosed copy of a document, which it is their wish should be submitted by you, as lately commanding the Legion, to the consideration of Viscount Palmerston, with a request to his Lordship that he would be pleased to favour you with an early reply as to the decision of her Majesty's Government on the subject.

In the event of her Majesty's Ministers declining to take up the matter, it is our intention to have it brought before the Legislature ; *not as a party question*, but as a measure of *justice and humanity*, and if such should be the case, and we should be compelled to adopt this alternative, the officers venture at least to hope that they may rely with confidence on the Government *not opposing the measure*. Requesting you would be pleased to favour us with as early an answer as convenient on the subject, in order that, if necessary, a properly signed and authenticated copy may be prepared, I have the honour, &c.

(Signed)

J. H. HUMFREY.

Lt.-Gen. Evans, M.P.

London, 24th December, 1837.

The frightful state of destitution to which the Legion is now reduced at St. Sebastian, through the lamentable breach of faith exhibited towards them by the Government of her Catholic Majesty, and the insulting and ungrateful indignity offered, under the 5th head of the Royal order lately issued at Madrid, to the officers of the late British Auxiliary Legion of Spain, compel the undersigned, acting in the name and on behalf of the principal officers of that late corps, to give up all hope of expecting justice or gratitude from the Spanish Government.

The undersigned have therefore the honour, most respectfully, to call the attention of Viscount Palmerston to the justice and necessity of her

Majesty's Government adopting the most effectual measures towards enforcing the immediate liquidation on the part of the Spanish Government, of the just claims which have been so long and so cruelly withheld from the officers and men, a delay which has led to a degree of unmerited misery and wretchedness, never before experienced by subjects of Great Britain, who had acted under the sanction of their own Government.

In the event of the disinclination or inability of the Government of Spain *immediately* to liquidate the debt due by it to the Legion, the undersigned beg respectfully to state their conviction of their being entitled to look to her Majesty's Government for the advance of the sum that may be necessary to settle their just claims.

The grounds on which the opinion of the undersigned is founded, relative to the moral and political obligation imposed on the Queen's Government to extend the fullest protection to the officers and men, are as follow :—

1. The publication of the order in Council of 1st June, 1835, in which document his late Majesty distinctly encouraged his subjects to enter the service of the Queen of Spain, in consequence of which many of the superior officers were of opinion, that in serving her Catholic Majesty they were rendering the most acceptable service to his late Majesty, as well as his Majesty's Government, and were thereby assured of the effectual support and protection of both, and the undersigned are aware that unless they had entertained such a conviction, many of them never would have lent their aid to the cause in which they engaged.

2. His late Majesty's commissioner, Colonel Wylde, having accompanied the Quartermaster-General of the late British Auxiliary Legion, who was sent by the Lieut.-General in command of that force, to Madrid in March, 1836, for the purpose of remonstrating with the Spanish Ministers relative to the privations and frightful sufferings of the Legion, resulting from the lamentable breach of contract on the part of the Spanish Government, (as detailed in a memorandum, marked No. 1, which was transmitted for Viscount Palmerston's information on the 20th Aug. 1837), and Colonel Wylde having become a party with the Quartermaster-General in all the negotiations with the Prime Minister of Spain at the above named period.

3. His late Majesty's representative at the Court of Madrid, Mr., now Sir George, Villiers, having taken a part in the conferences, that Colonel Wylde and the Quartermaster-General had with the Spanish

Prime Minister, and all the written communications made by these two officers having been transmitted through Sir George Villiers ; as appears by a copy of a letter marked A, which was transmitted to Viscount Palmerston on the 20th August, 1837.

4. It having been proposed by Colonel Wylde and the Quartermaster-General (as appears in the document marked No. 2, which was transmitted to Viscount Palmerston on the 20th August, 1837), and agreed to by the Spanish Government, that the Legion should for the future be paid from the 1st March, 1836, in advance, in strict accordance with the practice of the British army, and that all the arrears due at that period should be fully liquidated before the 1st June, 1836.

5. The Prime Minister of Spain having in March, 1836, addressed a letter (a copy of which, marked No. 5, was transmitted to Viscount Palmerston, on the 20th August, 1837), to his late Majesty's Commissioner and the Quartermaster-General, in which his Excellency expresses his approval of all the conditions proposed by them, and his satisfaction at "*their ideas being throughout in perfect harmony with his own,*" during the whole course of their negotiations.

6. The following official documents having been signed and issued to the Legion by her Majesty's Commissioner, Colonel Wylde, and the Spanish Commissioner, Brigadier-General Tena, viz. "We, the undersigned Commissioners, acting for and on behalf of her Catholic Majesty Isabella II., do hereby authorise Captain and Paymaster _____,* to estimate and draw pay according to the British regulations, for each and every officer of the late British Auxiliary Legion, who was borne on the strength on the 10th June, 1837, and to continue to estimate for and to pay the said officers wherever they may be, according to their respective ranks, up to the date on which the Spanish Government shall finally arrange the liquidation of their claims, either by negociable bills of exchange, payable in London, for cash payments, saving and excepting such officers as have re-entered her Catholic Majesty's service in the new Legion ; and we further authorise the sum of 9*l.* sterling to be credited to such officers as may not be able to procure a passage from St. Sebastian to England. In witness whereof we have affixed our signatures.

(Signed)

"JUAN TENA,

"W. WYLDE."

* There was one to each paymaster in the Legion.

7. Colonel Wylde, when addressing the assembled officers of the Legion at St. Sebastian, having stated "that he stood before them in "a double capacity, both as a British Commissioner and as a Commissioner of her Catholic Majesty."

8. The First Lord of the Treasury having in reply to the Marquis of Londonderry, on the 15th June, 1837, stated in the House of Lords as follows:—"Colonel Wylde had received no specific instructions "from his Majesty's Government to assist in the re-construction of the "Legion, but that officer, as attached to the Spanish army on the frontier, had endeavoured to forward the completion of that object, and "his Majesty's Government had approved of his conduct."

As it distinctly appears, under the 2nd, 3rd, 4th and 5th heads of the preceding remarks, that not only did Colonel Wylde, his late Majesty's Commissioner, act in conjunction with the Quartermaster-General of the Legion in all the communications made to the Government of Madrid, but that their written communications were sent through the British Minister at that Court, there cannot, therefore, the undersigned respectfully beg leave to state, be a doubt that the solemn and official participation of Sir George Villiers and Colonel Wylde in the negotiations alluded to at Madrid, in March, 1836, morally and politically bound the Government of which they were the representatives to enforce the faithful fulfilment of all the stipulations entered into at the above-named period; and the undersigned request to be permitted to observe, that according to the report of the debate on the Spanish question, a similar opinion was expressed by the honourable and gallant officer who brought forward the question: and they further know that it is in accordance with the sentiments of a great proportion of the members of the Legislature.

Under the 6th and 7th heads of the preceding remarks, it appears that her Majesty's Commissioner, Colonel Wylde, officially entered into a solemn engagement with the officers and men of the Legion, "in his "double capacity both as a British Commissioner and as a Commissioner of her Catholic Majesty."

It appears under the 8th head of the preceding remarks, that the First Minister of the Crown stated in the House of Peers that his Majesty's Government "*had approved of Colonel Wylde's conduct.*"

The First Lord of the Treasury having as above stated, officially avowed the approval of Colonel Wylde's conduct, by the Government of which his Lordship is the head, the undersigned beg leave to express

their sanguine expectations that, if the Government of Spain does not possess the financial means of liquidating without further delay the just claims of the Legion, her Majesty's Ministers will be pleased to obtain the sanction of the Legislature, to guarantee a loan to be raised by the Spanish Government, or adopt such other means as they may consider advisable, for the specific purpose of doing justice to the Legion, under the superintendence and control of British Commissioners; and by so doing, insure the comparative prosperity and happiness of thousands, who are now most unjustly and cruelly plunged into a state of wretched and degraded destitution.

(A true Copy,)

J. H. HUMFREY,

Lt.-Col. B. A. L.

To this also General Evans did not reply, and on my writing to know if he received it, his answer was that he could not understand why Colonel Wetherall was not the medium of communication. He also informed me that he understood Colonel Wetherall's Committee was broken up, and in the next day's paper appeared his letter to Colonel Wetherall, as follows:—

General Evans to Colonel Wetherall.

SIR,

I BEG to acknowledge your letter, informing me that at a recent meeting of officers it was proposed to appoint a Committee under my sanction, of which you were chairman, for the purpose of putting the claims of the Legion in a train of liquidation. Although not feeling that I had any authority to interfere in the manner required, I conceived that some such measure might have been of considerable assistance in facilitating and expediting the duties of the Spanish Royal Commission shortly to be formed in London.*

But I now understand another Committee has been named, or that a previous one has re-assembled, and that several members of your Committee have seceded.† This seeming want of unanimity will, I

* "To be about to be," would be more to the purpose; for it is postponed *sine die*.—J. H. H.

† Shaw is the only one, and the General might have named another if he thought proper.

apprehend, frustrate any advantage on this point which might have been anticipated. This opinion, however, is merely that of an individual; but it is that of one who, on various grounds (independently of there being a longer arrear of pay due to himself than to any other,) must be amongst the most anxious to see a settlement effected.*

But this settlement will be obstructed and perplexed, rather than accelerated, should a few gentlemen assume to represent the Legion, without adequate authority or knowledge of the circumstances, or with ill-advised zeal. Still less could our object be promoted, were any advocacy or assistance sought for through a medium hitherto conspicuously hostile to us. This could alone inevitably tend to retard payment, pander to our enemies, and alienate friends.

I have abundant reasons for lamenting the delay which has taken place in the payment of the officers. It must be admitted that until the recent flight of the rebel forces across the Ebro, the Queen Regent's Government were for some months during the autumn exposed to altogether peculiar difficulties. Under the present improved aspect of affairs, I trust this delay will not be further protracted. But in expressing my regret regarding the officers, it is highly satisfactory to me to know that, with trivial exceptions,† the whole of the non-commissioned officers and men who served in the late Legion under my command, consisting of between five and six thousand, (effective and non-effective,) have actually received the full amount of their pay up to the 10th of last June, at which date their period of service expired, and my own engagements were fulfilled. The widows of officers, and the maimed or wounded non-commissioned officers and men have also received, to the end of the present year, their pensions. It is therefore to be regretted that so many should continue soliciting alms through the streets on the plea of not having received compensation for wounds, &c. while, in fact, those of them who ever were in Spain have already received every farthing of what they would have been entitled to in the British army.‡

This is, at all events, an injustice against the Spanish Government, encouraged, no doubt, for party purposes. But if it continue, it will remain to be considered by the Spanish authorities whether the punishment imposed in like cases on our own pensioners, under authority of the Secretary at War, should not be adopted.

* Then why not put your shoulder to the wheel? † Truly! ‡ Indeed?

The trivial and unavoidable exceptions* alluded to above are those of sixty or seventy men, who have been without the documents necessary to establish their claims, or have not been forthcoming for medical examination ; and of a detachment lately arrived at Cork, with the state of whose accounts, as they were detached from my immediate command for upwards of a year, I am not acquainted.

I beg of you to make any use of this you may think proper. I continue to receive numerous letters concerning this subject, which it is impossible for me to attend to.† I send you several of them, and shall feel much obliged if you will have the goodness to reply to such of them as the information in your possession may enable you to satisfy. I also beg to send you the conditions of service granted by the Spanish Government, with the signature of the Spanish Minister, which was transmitted to me after I had accepted of the command of the auxiliary force, and to which all parties who may apply to you in your capacity of late Commandant in England may thus have an opportunity of referring.

I have only to add the expression of my conviction that the Spanish Ambassador at this Court, the British Cabinet, and our Minister at Madrid, continue their best offices towards a settlement of all these claims,‡ my own humble efforts not ceasing to be directed to the same end, consistently with the true interests of those concerned and the respect due to the cause and Government we have served.

I have the honour to be, Sir,

Your most obedient servant,

D. L. EVANS.

To Colonel Wetherall, &c., *Woolwich*, 30th Dec.

By the third paragraph of this letter it is evident the General alludes to Colonel Shaw's irregular proceedings, and that *he does not approve of them*.

I shall not be at the pains to analyze this letter, as I conceive it quite superfluous. His apologies for the delays and unpardonable breach of faith in the Spanish Government may be very well, but do not at all tend to remedy the evil complained of, namely, that a vast number of officers, and deserving men of inferior ranks, are unjustly thrown

* Trivial and unavoidable ! truly ! † Hear him !

‡ Fudge ! humbug !

on the world, deserted by their Commander, as well as by their own Government. I know of officers on half pay in the English service having been betrayed into such difficulties, by relying on General Evans and the Government, that, although many hundred pounds are due to them, they have been forced to sell their commissions to meet the exigencies of the case! Many of them lived at considerable expense on their own means in Spain, lost valuable horses, and a hundred other expensive things, which they were obliged to have, and cannot now get a farthing that is due to them.

It ill becomes *him* to be the advocate of such a course of proceeding as has been followed by the Spanish Government towards the officers and soldiers of the Legion. As to the conclusion, it is the usual burthen of the song, and will be the same this day twelve month as it is now. The Spanish Government, even if they had the will, have not the means to be just to their creditors! It is a mockery of General Evans to write such folly.

The pretended *arrangement* just made with the officers at St. Sebastian is all a cheat in the same style. The General is not the dupe of such flimsy pretences.

I again wrote to General Evans, acquainting him that Colonel Wetherall had *authorized* me to act *in his name*, for the reasons I have stated; and he then requested me to wait on him for his verbal answer.

This I did on Thursday, the 4th January, at his own house, when he gave me the reasons which I have reduced to writing, as follows. I must premise, however, that I was particularly cautious *not* to take notice of any remarks which, as in course of conversation, he might inadvertently make. For instance, all that he said about the new Legion I have taken no notice of, as foreign to the point at issue.

The following is the letter I sent to him the same evening:—

London, January 4th.

SIR,

I beg you will have the goodness to inform me whether I am correct in considering the following as the substance of your answer to my letter of the 28th December, inclosing a copy of the document which you were requested to consider as the ground on which the subject of the

claims of officers and men of the late Legion should be brought before her Majesty's Government, viz. :—

In the first place, you object to the document in question as imputing blame at the outset, to the Spanish Government, with regard to the new Legion, with which you have no concern, and which you do not consider to form any part of the present question at issue.

Secondly, you do not consider that circumstances "at present" justify us in looking to our own Government for a settlement, as "sufficient time has not elapsed to justify the conclusion," that the Spanish Government is unable or unwilling to fulfil their engagements towards us.

Thirdly, you object to the document on the ground of the correspondence alluded to in it, and on which you consider the argument in some measure to rest, or which is referred to in confirmation of it, not having passed through your hands, and you consequently expressly refuse to take up a question which has been already entered on by a third party, without your mediation.

Fourthly, if I recollect rightly, you deny the inference which is drawn from the premises contained in the document in question, and refuse to identify yourself with an argument in which you do not coincide exactly. You further stated that you *understood Lord Palmerston had already given a negative answer to the inference which was attempted to be drawn in the matter alluded to.*

Fifthly, you said that although you differed with the opinions expressed in it on many points, yet you did not consider that we had made out *nearly such a strong case as we might have done.**

Sixthly, you state that the apparent want of unanimity implied in the proceedings of Colonel Shaw and others, does not justify you in considering the document in question, to express the opinion of the majority, far less of the whole body of claimants—and that even if the unanimous demands of the various individuals should all concur in forcing you to be the organ through which they should be communicated to the Government, you might still have the option of stating the facts without pledging yourself to back the opinions of the claimants in their appeal to the Ministers.

The above, I believe, is as literally as I can render it, the substance of

your reasons ; but if you desire any alteration or addition, I beg you will let me know in writing, that I may communicate the proper answer to the individuals concerned. Should I not hear from you in the course of to-morrow, the 5th of January, I shall consider that I am at liberty to interpret your silence as an acquiescence in the correctness of the above.

I have the honour to be, Sir,

Your obedient humble Servant,

J. H. HUMFREY.

Lieut.-General Evans.

N.B.—I can affirm, on oath if necessary, that the above is “ the truth, the whole truth, and nothing but the truth,” of what General Evans stated as his reasons to me ; and I further affirm that I have *not* taken advantage of any remarks which were not directly relevant to the matter, and all along the conversation was official and understood by me as such.

On the 5th I received the following note, by which it appears the General never intended to give me *any answer at all*, though he knew I waited on him for the express purpose, as I stated at the time he returned the document into my hands ! Here follows General Evans’s letter :—

Bryanston Square, 5th January, 1838.

SIR,

I did not anticipate that you were about to put on paper the casual observations* I made to you, expressive of my individual opinion of the memoir you wished me to lay before Government. I do not therefore feel called on to admit the accuracy of your recollection on the subject, which on my part was not meant as an official communication.

In point of fact I do not recollect to have used some of the expressions in your letter, (although I am quite convinced of the candour of your intention in regard to our conversation) ; for instance, my meaning with regard to the new Legion was, that I was not authorised or required to enter on the subject of the causes which may have led to its dissolution.

But I certainly have to concern myself regarding the services and claims, *while under my command*, of the officers who have formed

* What does the General mean by “ casual observations,” when he knows I waited on him for the answer to my official letter of 28th Dec ?

part of the new Legion. I think I also mentioned to you that I considered some mistake must exist as to your addressing me on the part of Colonel Wetherall's Committee, that officer having informed me that the majority of his Committee had seceded.* On the other hand should Colonel Wetherall's Committee be in existence, if I have to communicate with it, it will be more regular to do so through its Chairman.

Officially, I beg leave to decline being the medium of presenting your memoir to Government, conceiving it not calculated to promote the interests of the Legion to do so.

I have the honour, &c.

(Signed)

DE LACY EVANS.

Lieut.-Colonel Humfrey.

P.S.—I have to remind you also that there is another Committee, of which Colonel Shaw is Chairman,† and who informs me that he does not know any thing of the document you have referred to me. I also heard a day or two since from Colonel Wetherall, by which I understand he secedes from the Committee before referred to.

The General having thus *finally refused* to stir in the matter, we of course are not only justified in seeking such redress as we may be able to find, *but forced to do so*, as we best may. In this letter also the General reverts to his former objection, on the score of my having communicated with him, instead of Colonel Wetherall, seemingly forgetting that I had already explained it in my answer to him. In this letter also he appears in a manner to *approve* of Colonel Shaw's Committee, and urges that officer's denial of any knowledge of the document alluded to as a sort of *additional reason* for not acceding to the request of the Committee, who represent, by their proxies, *all the principal* officers of the Legion.

How Colonel Shaw can affirm that "he is ignorant of the document," he should explain, because he read it *himself* in presence of Captain Byrne and Colonel Wetherall, and I also *read it to him* in the presence of the same officers at the U. S. Club.

* Colonel Wetherall is mistaken, as Shaw is the only one who had done so, and even if Colonel Wetherall gave up, that is no reason why another should not be appointed ?

† Who, as the General knows, will have no communication with him.

There is either contradiction or *something worse* here ! on the part of Colonel Claudius Shaw.

Will any one *now* be bold enough to assert that General Evans is not "the promoter of dissension among the claimants," or at least that "he seeks to profit by it in order to *postpone the question, if possible!*"

Is it not evident by his own shewing that he *repulses* those who wish to act with him, and pretends afterwards to approve those who have spurned his mediation ? It is.

I shall now give Colonel Claudius Shaw's letter, in reference to General Evans's to Colonel Wetherall.

To the Editor of the Morning Chronicle.

SIR—My attention having been drawn to a letter which appeared in *The Chronicle* of Saturday last upon the affairs of the British Legion, addressed by Lieutenant-General Evans to Colonel Wetherall, as Chairman of a Committee of Officers, in which it is stated that another Committee, of which I have the honour to be Chairman, had re-assembled, and it is inferred from that circumstance that there is a *seeming want of unanimity* between the parties, I beg your permission to state that the Committee over which I preside has been sitting at intervals, as occasion required, for several months, and been in correspondence with the British and Spanish Government upon the subject of the claims of the Legion.

The last letter which I received from Lord Palmerston on the subject, dated in November last, stated that instructions had been given to the English Ambassador at Madrid to convey to the Spanish Government "the just and confident expectation of his Government that their claims would be settled without further delay." Appreciating the influence which such a representation made by the British Government was likely to produce, the Committee thought it inexpedient to take any further steps till the result of that application had been ascertained ; but although I have written to his Lordship to be informed of the reply which has been given in the representation referred to, I have not yet *received any answer*.

I have further to observe, that the Committee, at whose desire I entered into the correspondence already adverted to, was appointed *by a numerous meeting of officers*, and that all their proceedings were from time to time published in the public papers, and received the sanction and approbation of the officers generally. Having, by the express di-

rection of the Committee, written to General Evans to request his assistance in obtaining a settlement of the claims of the Legion, and having, since his return to England, received a verbal explanation, which I considered satisfactory, why he had not answered my letter, I am surprised that he *should entertain* any misapprehension with regard to that Committee, as I imagined that the publicity which was given to its proceedings would have attracted the attention of all those interested in the affairs of the Legion.

Under the impression that the object of Colonel Wetherall and the four or five officers who formed themselves into a committee was for the purpose, as General Evans states, "of facilitating and expediting the duties of the Spanish Royal Commission to be formed in London," I allowed my name to be put down as one of the members ; but when I understood that the committee assumed to act in the name of the Legion, without any delegation or authority, in prosecuting their claims by an application to Parliament, and fearing that the person selected for that purpose might give the matter a political complexion, which I agree with General Evans would inevitably tend to retard payment, pander to our enemies, and alienate friends, I withdrew my name.*

The Committee of which I am a member, deprecating any apparent disunion, and anxious to procure any possible assistance, instructed me to invite Colonel Wetherall and his friends to become members of their Committee, and to co-operate with them in prosecuting the object which it is presumed all have in view, a speedy settlement of the arrears due to the officers and men, which I accordingly did, but have not yet received any answer. If, therefore, there be any apparent or real difference of opinion existing, the fault cannot be attributed to me or the gentlemen with whom I continue to act.

In conclusion I have only to observe, that the Committee with which I act never discontinued its meetings, for although circumstances for a short time prevented my attendance, a meeting took place during that period, at which Captain Glazier presided.

I have the honour to be, Sir,

Your most obedient servant,

CLAUDIUS SHAW, *Colonel late British Legion.*

Portland-place, Clapham-road, Jan. 2.

* Colonel Shaw knows that the Committee in question acted with General Evans's approbation, and that it was never intended to make a party question.

In reference to the above letter I will only repeat that I am surprised Colonel Shaw should express himself satisfied with the "verbal explanation" given him by General Evans, because he knows very well that before he *received* it from Captain Byrne, on the part of General Evans, his Committee was considered as defunct, and merged in that which General Evans *had approved of in writing*, to Colonel Wetherall, but which he was *so eager to disavow* the moment he discovered that Colonel Shaw's had re-assembled, and which he *also disapproved* in his letter, as Colonel Shaw admits.

The fact is, Colonel Shaw's proceeding, together with *gross and unfounded* aspersions cast on Colonel Wetherall by individuals whom he had, at his own expence, rescued from beggary and want, so disgusted the latter, that he declared to General Evans "he would wash his hands of the business," and General Evans *was too glad of the opportunity thus afforded him to put off a question which he is determined to back out of as being disagreeable to the Government*, because it involves responsibilities and consequences they never expected, when they embarked on the sea of doubts and perplexities, in which they are now wandering—

" Oh ! what a tangled web we weave,
 " When first we practise to deceive !"

The following is an extract from a Carlist account, which was also published in the U.S. Journal, for June, 1837.

" On the 15th, operations again commenced ; the Christinos bringing forth their whole strength, making a general attack upon the lines. The Legion fought with the greatest intrepidity, ably seconded by their Spanish allies. Every inch of ground was well contended ; the Carlists yielding foot by foot ; * disputing the advance of the enemy in the most gallant style. But such overwhelming force had been brought against them † that they were driven from position to

* True.

† This was Jochmus's well-laid and scientific plan of swinging forward the left, composed of eleven battalions, *en masse*, to turn the right

“ position. The lines were everywhere forced, and before nightfall
 “ the Christinos had mastered the redoubts and battery upon the Venta
 “ Hill, and carried the whole of this strongly-intrenched position, the
 “ Carlist artillery in the battery falling into the hands of the victors.
 “ Night put an end to further hostilities; but to preserve Ernani
 “ seemed little short of a miracle. In fact it was expected every mo-
 “ ment that General Evans would advance upon the town. General
 “ Guibelalde had been seized with sudden illness, and the further de-
 “ fence of Ernani now devolved on Ituritza, and by the noble stand
 “ he made, fairly did he vindicate the character he had earned in many
 “ a battle-field.

“ Had General Evans at once descended * from his positions, for he
 “ was in possession of every height north of the town, he must have en-
 “ tered Ernani.† The triumph would of course have been purchased
 “ with some loss, but certain success attended on the movement; the
 “ Carlists had scarcely a cartridge or a round of ammunition left, and
 “ no succour appeared at hand; indeed so generally was this admitted,
 “ that all the inhabitants quitted the town the same evening, retiring
 “ to a distance until the result of the last effort at resistance should be
 “ known.” The writer then goes on to
 state that a despatch from the Prince arrived an hour before day-break,
 promising immediate relief, that at nine o'clock, however, they were
 about to abandon the place, as the Spanish troops were close at the
 gates, and further resistance seemed hopeless. A little before ten,
 Don Sebastian entered Ernani with the advance, dead and worn out
 with fatigue, having marched incessantly day and night, their feet

of the enemy. It was a manœuvre truly worthy of the best days of Na-
 poleon. Could the Spanish Government only appreciate the talent of
 that able and gallant officer, *he is the man to save Spain!* But to ima-
 gine that, is to suppose the mole capable of appreciating the beauties
 of astronomy.

* He could not by night, if he was in his senses, in the state things
 were in after such an affair.

† If we had had a couple of battalions which had not been engaged,
 we might have done it very well; or if time had not been lost during
 the attack! One hour decides the fate of a campaign! It did here.

bleeding, and scarcely having tasted food for two days. He says it was "near mid-day" when Villareal arrived with the remainder, and "then three strong battalions, under Pablo Sanz," were detached to Astigarraga. This was exactly as we saw it ourselves; and on our return to England we were struck by the extraordinary coincidence of the two accounts, which stand side by side for every one's inspection in the U. S. Journal for June, 1837.

His description of the affair is vivid and correct; except that he naturally formed an exaggerated idea (being, we suspect an English traveller or correspondent accompanying Don Sebastian) of the disorder on our part after the first break up of the Infante and Castile regiments, and the consequent scramble it forced the first regiment to make to get out of the defile they were in, part of them being in a house facing the bridge, with the doors and windows towards it, and not loopholed even, and without any retreat, and *no quarter*, what could a handful of men do? We cannot account for the mistake which crept into the despatch, in which it is stated "the English were the first to give way." Subsequently to the disorder we have mentioned, there was nothing of what the writer of the above account has stated; and as he could not be in the action he must of course have exaggerated our disorder, which at first was bad enough, except in the centre, which was not and could not be attacked. Lieutenant Dickson, of the Royal Artillery, was very nearly taken, and only saved by the brave conduct of Major Brochero, of the Spanish engineers, (our particular friend,) and Major Maclaine of the Legion. The Spanish Company of Sappers stood like a rock, to give time for packing up those abominable mountain Howitzers, aptly called by our friend S——e, "sucking guns," for they are too small to be of any real use in action. They do very well to throw a few grenades into a wood, but make more noise than they are worth. In our opinion, rockets are infinitely superior *where wheels cannot go*. Where it can move give us the six-pounder! "*Au reste*," it is false to say that "the Carlists retook Oriamendi," we gave it up, and consequently they remained masters of the field when there was no one to dispute it. Their bravery no one denies.

N.B. It has been said, and we always fancied the same till we came there, that, "if the enemy had caught us in Ernani, we were lost?" It is not true, however; for it is a very strong place. When once you

are in it, and have got Santa Barbara, the *devil himself* ought never to drive you out. It is stronger towards the enemy's side than it is towards us. Since that, it has been made impregnable, and so has Yrun; and whoever gives them up ought to be hanged for despicable cowards, unless they have eaten all the rats and mice in them. Of course we include the forts lately erected. Passages is now a permanent work; so is Puyo, being "revetted" with stone.

Cameron, Fifeshire, Dec. 20th, 1837.

MY DEAR HUMFREY,

So far from London, I have only just seen in the "Times" of the 16th your letter addressed to Lieutenant-General Evans. I think myself called on by the position I held in the B.L., as one among many, to thank you for the frank, manly, and judicious observations on the strong and unanswered claims of the Legion, which that letter contains. Together with yourself, I cannot refrain from giving my most unqualified testimony to the calm and intrepid conduct which General Evans ever manifested, and most so on the most trying occasions. Neither can I abstain from expressing my regret that the General should have so long delayed urging on her Majesty's Government our just and needful claims for consideration.

In this land of liberty, and under the rule of a Liberal Government, all, from the highest to the lowest, claim—and should not claim in vain—their rights. Justice is the Briton's watchword. Among us, none can be sensible of having done more than our duty;—among us, none can desire more than a just compensation for the same. Among the range of mankind, none bearing the front of manhood will passively succumb to the unwholesome pressure of an unmerited slight. I hold that, in the eyes of the world, to be alike unmerited as painful which casts the stamp of contempt on just claims contended for.

I contend that the motto of a liberal Government, in the eyes of educated man, must necessarily be even-handed justice to mankind. If such be the case, we surely cannot but feel sore that we who have not only fought and suffered, but have also bled, in the cause of liberty, should be made exceptions to that general rule, on which, in my humble opinion, every free Government must be based,

and by which alone, in these bright days of inquiry, a liberal Government can hope to stand unimpugned and firm in the face of an enlightened and inquiring country.

Were I not so far from London—were I not at present painfully and peculiarly situated, I would forthwith attend to your workmanlike suggestion of “a meeting of the influential and principal claimants of the British Legion;” and I would readily find myself in London, to make one among the united many of that deserted Legion, which having once fought and conquered before the world, for the liberty of others, seems now destined to pine in hateful obscurity for simple justice for themselves, unsupported in their hour of need by him whose cheers once led them on to victory. Still further must I remark,—not only unsupported by him, but also, to all human appearance, *trifled with, unattended to, unprotected by that Government* on whose liberality to render forth justice, and on whose power to protect from injustice they, at the outset of the campaign, so confidently and so manfully relied. I again thank you for the part you have taken, and remain,

Very truly yours,

M. C. FORTESCUE.

N. B. I have the authority of Colonel Fortescue to publish the above letter, and I may as well remark here what I omitted to do in the proper place, namely, though Colonel Wetherall might think proper to give up, is that any reason why General Evans, if he thought proper, might not appoint another in his place? But he did not wish it at all, and in point of fact did not desire to stir in the matter, for fear of embarrassing Ministers.

J. H. H.

Copy of a Letter from Colonel Jochmus, Chief of the Staff to the Corps of Cantabria.

Quarter-Master-General's Office,

St. Sebastian, 11th October, 1836.

SIR,

THE Military Secretary transmits to me by his Excellency Lieutenant-General Evans's directions, the enclosed Diploma of the Order of San Fernando, conferred on you for the action of the 1st October, on the heights of Ametza.

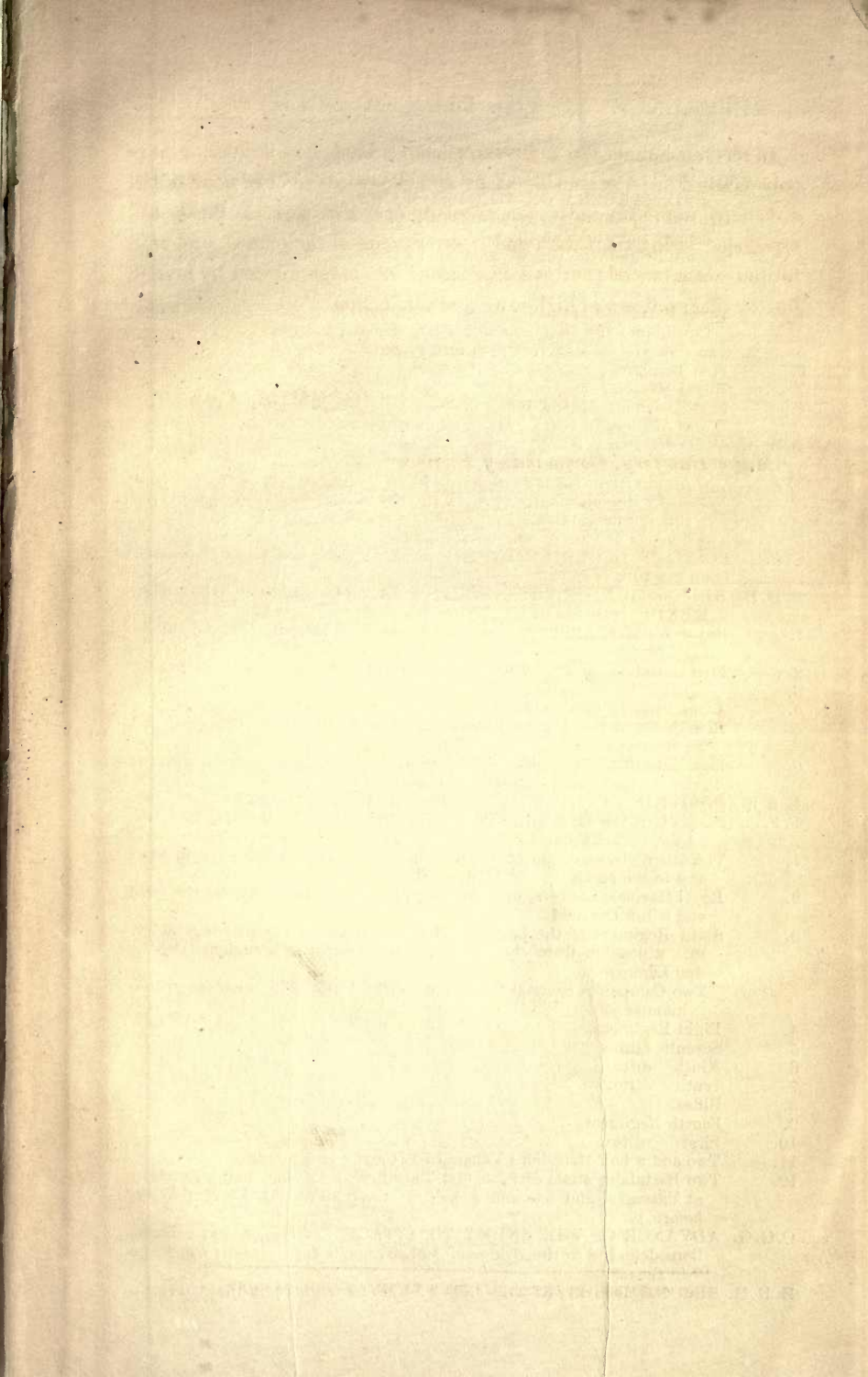
In recommending you to his Excellency's kind consideration, I have only fulfilled an imperious duty, as an acknowledgment of your skilful directions in the Engineer Department, of which you are the head ; especially during the action and under the fire of the enemy, and as a further testimony of your gallant conduct, not alone noticed by myself, but by other officers of high rank and distinction.

I have the honour, &c.

(Signed) "JOCHMUS, *Colonel.*"

Major Humfrey, Commanding Engineer.

THE END.



REFERENCES TO THE PLAN OF OPERATIONS.

A. A. A. DISPOSITION OF THE TROOPS FOR THE ATTACKS OF AMETZA AND GARBERA ON THE 10th MARCH.

1. General Chichester's brigade, to turn the left of the enemy's position, and occupy the works on the hill.
2. Second Brigade of the division of Vanguardia, under Col. Munoz, in observation.
3. Light Brigade of the Legion, 6th and 7th Regiments, Gen. Godfrey.
4. Three Battalions of the 1st Brigade of the division of Vanguardia, under Col. Llanos (1st Battalion of this Brigade at Passages.)
5. Gen. Fitz-Gerald's Brigade (9th and 10th) of the Legion.
6. First Regiment, under Col. De Lancey.
7. Royal Marines, Col. Owen.
8. Fifth Division, Gen. Iauregui, including the Chapelgorries.
The Artillery in rear of Alza, and on the plateau.

B. B. B. SECOND POSITIONS, subsequent to occupying Ametza.

- 1, 2, 3. The Legion and Royal Marines.
4. The 5th division, engaged in skirmishing.
The 7th Regiment of the Legion was also brought up and engaged, and suffered considerable loss.
5. The division of Vanguardia, Gen. Rendon.

C. C. C. POSITION OCCUPIED BY THE ENEMY, who had Eight Battalions, on the 10th March.

D. D. D. DISPOSITION OF THE TROOPS FOR THE ATTACK ON ORIAMENDI, 15th MARCH.

1. Royal Marines, Artillery, Lancers, and train of ammunition, &c. on the high road.
2. Five Battalions of the 5th division (Iauregui).
3. Chapelgorries.
4. Light Brigade, Gen. Godfrey.
5. Remainder of the Legion (Chichester and Fitz-Gerald's Brigades, and 1st Regiment.)
6. Five Battalions and a half of division of Vanguardia (1st Battalion at Ametza, and half a Battalion at Passages.)

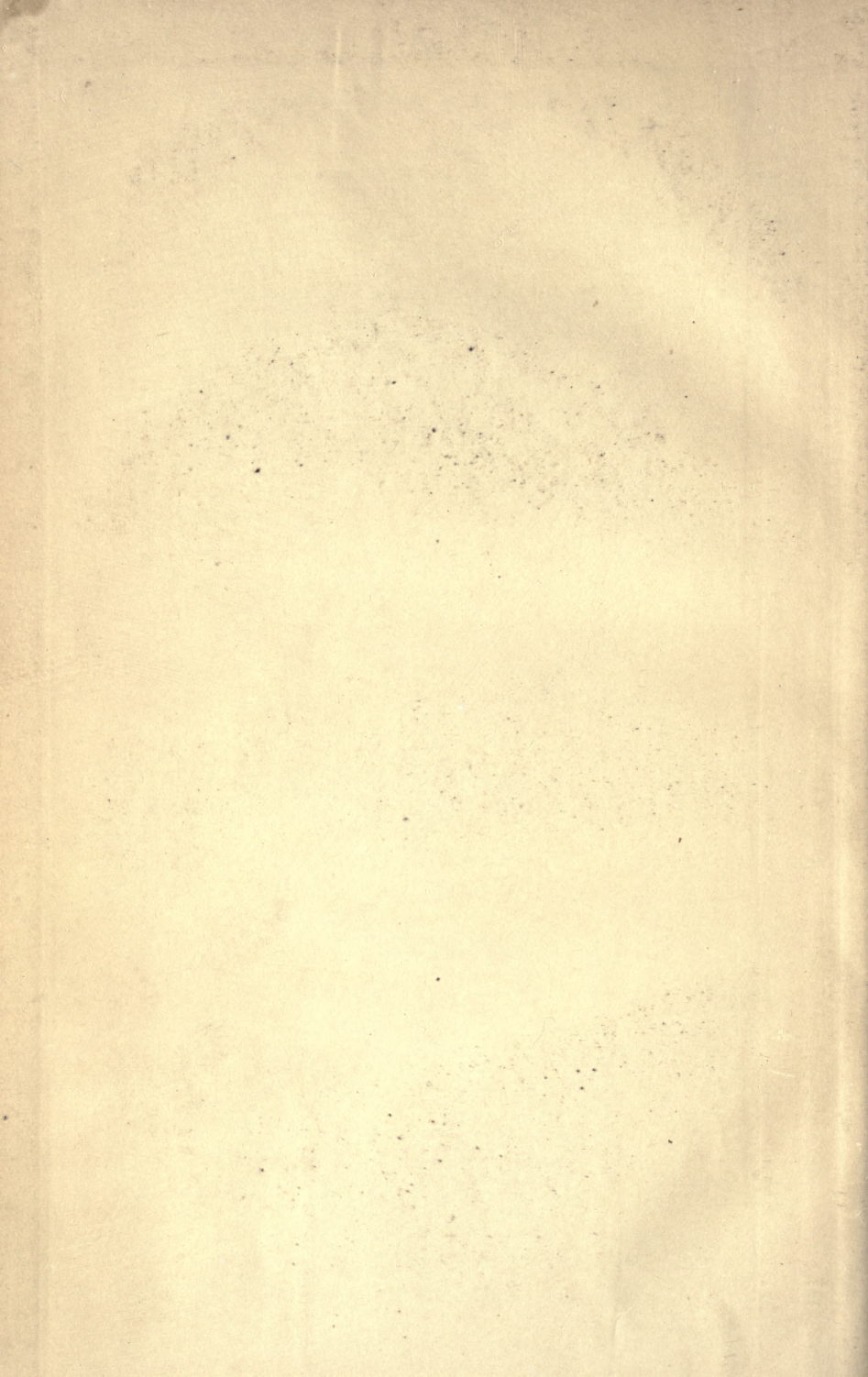
E. E. E. POSITION OCCUPIED BY THE CARLISTS on the 15th.

F. F. F. POSITION OF THE TROOPS WHEN ATTACKED BY THE ENEMY, on the 16th March.

1. The 5th division, dispersed by Battalions, and skirmishing, far in front and to the right.
2. Royal Marines, Lancers, and Artillery, in suitable positions, on the right and left of the road.
3. Sixth Regiment of the Legion. This was subsequently moved, and retook a position from the Enemy, which had been abandoned by the 2nd Ligeros.
Two Companies covered the retreat of the Artillery in the most gallant manner.
4. Eight Regiment.
5. Seventh ditto.
6. Ninth ditto.
7. Tenth ditto.
8. Rifles.
9. Fourth Regiment.
10. First ditto.
11. Two and a half Battalions Vanguardia (Castile and Infante.)
12. Two Battalions same division (1st Battalion at Ametza, half a Battalion at Passages, and one and a half at the position [D. 5.] of the day before.)

G. G. G. ADVANCE OF THE ENEMY TO ATTACK. . . Six or seven Battalions detached to the Bridge of Astigarraga, to turn our left, which was "in the air."

H. H. H. SECOND RESERVES OF THE ENEMY, brought up in the Afternoon.



DA
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W3

Walton, William
A reply to the Anglo-
Cristino pamphlet

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